

Lee Harvey Oswald's two jackets and why the Tippit killer's jacket was not one of them

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First the starting fact: on the morning of Nov 22, 1963, Lee Harvey Oswald possessed two, and only two, jackets. One was a lightweight gray jacket. The other was a warmer, lined blue coat. Both were waist-length and zippered. This starting fact is not in dispute.

Note in the description below that the words “light” (Oswald’s gray jacket) and “heavy” (Oswald’s blue jacket or coat) do not refer to color tone but rather to the weight or warmth of the item. From an FBI interview of Marina Oswald:

“Marina was questioned further concerning clothing jackets which had been owned by Lee Harvey Oswald. She said to the best of her recollection Lee Harvey Oswald had only **two jackets, one a heavy jacket, blue in color, and another light jacket, grey in color**. She said she believes Oswald possessed both of these jackets in Russia and had purchased them in the United States prior to his departure for Russia. She said she cannot recall that Oswald ever sent either of these jackets to any laundry or cleaners anywhere. She said she can recall washing them herself. She advised to her knowledge Oswald possessed both of these jackets at Dallas on November 22, 1963.” (FBI, April 1, 1964 [<https://www.maryferrell.org/showDoc.html?docId=95957#relPageId=228>])

But from this starting point diverge significantly differing reconstructions of the two jackets of Oswald and another jacket found and identified as from the killer of Dallas Police officer J.D. Tippit.

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Officer J.D. Tippit was shot dead at Tenth and Patton in the Dallas suburb of Oak Cliff at about 1:15 pm on Nov 22, 1963, less than an hour after President John F. Kennedy was assassinated in downtown Dallas.

The killer of Tippit was described by witnesses as wearing a jacket agreeing in description with a jacket known as Warren Commission Exhibit 162 (CE 162), found in a parking area behind a gas station, abandoned in flight by the killer.

Of the two jackets of Oswald (blue and gray), and the one abandoned by the killer of Tippit (CE 162), were those *two* or *three* jackets?

The Warren Commission said those were *two* jackets total. This study will show that those were *three* jackets.

Did the killer of officer Tippit go to the Texas Theatre because he was intent on *killing Oswald there next?*

After abandoning his jacket, the killer of Tippit, now without a jacket, was seen in front of a retail shoe store on Jefferson Boulevard by the store's manager, Johnny Brewer, following which Brewer saw him turn into the nearby Texas Theatre. Brewer saw the man go past a momentarily-distracted ticket seller Julia Postal and surreptitiously enter the theater going to the balcony without having bought or shown a ticket. Alerted by Brewer, Julia Postal called the police.

Minutes later police, already turned out in force to Oak Cliff searching for an armed fugitive at large in response to their fallen fellow officer, Tippit, swarmed the theater and arrested Oswald seated on the ground floor after Brewer pointed him out to police.

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Witnesses inside the theater, however, remembered Oswald as having been seated in the main section on the ground floor during the opening credits and start of the movie, *before* the Tippit killer's later surreptitious entry into the balcony.

One patron in the Texas Theatre that day was Jack Davis of Dallas, then a young man of eighteen, who went on to become a local Christian radio broadcast personality. He gave an oral history to the Sixth Floor Museum of Dallas (<https://emuseum.jfk.org/objects/21494>). Davis described Oswald as having made strange movements in the theater.

According to Davis, who had taken a seat by himself in the back row on the right side, he was surprised when Oswald sat down in the seat directly next to Davis. Then Oswald got up and moved to sit immediately next to another person, then got up and went out into the lobby to reenter by a different aisle and sit next to another, one after another like that, three or four times, *in a nearly empty theater* with only a little over a dozen paid-ticket patrons in the entire theater that afternoon. It was as if Oswald was looking for someone he expected to meet.

The Theatre's usher/concessionaire, Warren "Butch" Burroughs, confirmed Davis's account. Burroughs said he sold popcorn to Oswald in the lobby after which he saw Oswald reenter the main seating area and sit next to a pregnant woman. Several minutes later, Burroughs said, the pregnant woman (perhaps made uncomfortable by the seating behavior) got up and left (went to a restroom and did not return to that seat). Oswald then watched the movie sitting alone (Jim Marrs, *Crossfire: the Plot that Killed Kennedy* [2013; 1st edition 1989], 342-43, citing interview of Burroughs, summer 1987).

According to these witnesses (Davis, Burroughs) Oswald was on the ground level in the main seating area of the theater doing his strange seating behavior at a time *before* the killer of Tippit slipped into the theater and went to the balcony. No one inside the theater saw Oswald in the balcony.

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Store manager Brewer, at the stage area of the theater when police arrived—Brewer was assisting Julia Postal and usher Burroughs in looking for the suspicious man who had gone into the balcony—when the lights came on believed he recognized the man who had gone by his store as a man sitting toward the back of the theater in the main area. He pointed him out to arriving police officers. The man pointed out by Brewer was Oswald, and that is why the police arrested Oswald.

Oswald resisted arrest, had a loaded revolver on his person of the caliber that had killed officer Tippit, and turned out to be the leading suspect in the assassination of

President Kennedy. Oswald vigorously protested his innocence, denying he had shot anyone. But Brewer confirmed his identification of Oswald following Oswald's arrest.

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In the hours that followed Oswald's arrest, witnesses from the Tenth and Patton crime scene brought downtown by police positively identified Oswald out of lineups as the killer of Tippit they had seen fleeing the crime scene, gun in hand.

Four shell hulls were found at the Tippit crime scene where witnesses had seen the killer manually removing hulls from a revolver and reloading as he calmly walked and then slow-lyped away from the scene of the killing.

On Thursday Nov 28, 1963, four hulls said to be those crime scene hulls were submitted by the Dallas Police to the FBI office in Dallas, and on Nov 30, 1963, received by the FBI lab in Washington, D.C. The FBI lab found those hulls had been fired from Oswald's revolver to the exclusion of any other weapon. The match between the submitted hulls and Oswald's revolver was confirmed in 1979 by the firearms panel of the House Select Committee on Assassinations (HSCA).

The killer of Tippit fired five shots—four hits and one miss—involving bullets of two makes, Winchester-Western and Remington-Peters. The two makes of bullets from the shooter were verified from the four bullets taken from Tippit's body found in the autopsy, which were three Winchesters and one Remington. Although five bullets found in Oswald's pants pocket when he was searched were all Winchesters, the six in Oswald's revolver were reported to be the same mixture used in the Tippit killing, Winchesters and Remingtons, three apiece.

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But fingerprints on the Tippit patrol car lifted from where the killer had been seen with his hands at the car (at the top of the right front passenger door as he leaned in to talk to Tippit through a vent window before shooting Tippit across the hood) did *not* match to Oswald. The information that Oswald was excluded as a match to those fingerprints did not become publicly known until 1998 when it was first published by Dale Myers in Myers, *With Malice: Lee Harvey Oswald and the murder of Officer J.D. Tippit* (2013; 1st edition 1998 [all references this study are to 2013]), 336–40.

Prior to 1998 the only information reported concerning those fingerprints was an officer's hearsay to the Warren Commission in 1964 saying the prints had been too smeared to learn anything of interest and worthless.

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

Mr. BARNES. The first thing that I did was to check the right side of Tippit's car for fingerprints.

Mr. BELIN. Did you find any fingerprints on the right side of the car?

Mr. BARNES. **There was several smear prints. None of value.**

Mr. BELIN. Where were these smear prints located?

Mr. BARNES. Just below the top part of the door, and also on the right front fender.

Mr. BELIN. Why did you happen to check that particular portion of the vehicle for fingerprints?

Mr. BARNES. I was told that the suspect which shot Tippit had come up to the right side of the car, and there was a possibility that he might have placed his hands on there.

“Hearsay” is accurate: officer Barnes, although it was he who had physically lifted the prints, never claimed to have done the fingerprint analysis himself, nor was he a senior figure in the crime lab who would be expected to have undertaken responsibility and accountability for that examination.

The source of the hearsay conclusion told by Barnes that the prints gave no useful information—“none of value”—never was identified, nor does that conclusion appear in writing in any known document or report. Nor is there any record that the Dallas Police submitted those fingerprints to the FBI whose lab had some of the top expertise in the nation and would have found and reported instantly, in November 1963, the non-match to Oswald, rather than the delay of 31 years until Myers was able to learn, or 35 years until the public was able to learn via Myers' publication, that fingerprints lifted from the two distinct locations on the Tippit patrol car corresponding to where the killer was, had been left by one single individual whose right hand had touched Tippit's patrol car at both those locations who was *not* Lee Harvey Oswald.

It is conceivable the FBI might have been able to make a positive identification of the individual who *did* leave those fingerprints which may have been left by officer Tippit's assailant and killer, if the FBI had received that fingerprint evidence from the Dallas Police and if there had been the will to do so. But that was not done.

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And a large number of mistaken eyewitness identifications of persons who were *not* Lee Harvey Oswald, but who witnesses *sincerely thought had been* Lee Harvey Oswald, have long been a known issue in the JFK assassination. FBI documents on the Mary Ferrell Foundation website are filled with such reports which came to the attention of the FBI in the days and weeks following the assassination. Similar issues in mistaken eyewitness identifications have been found in studies by the Innocence Project—resulting in some cases in innocent persons spending decades of their lives in prison for crimes they did not do (<https://innocenceproject.org/eyewitness-misidentification/>; <https://innocenceproject.org/how-eyewitness-misidentification-can-send-innocent-people-to-prison/>).

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The Dallas Police, angered by the killing of a fellow officer, were openly speaking the evening of Friday Nov 22 of wanting to “wrap him [Oswald] up real tight” on the Tippit killing in terms of legal evidence, as one Tenth and Patton crime scene witness said the lead Dallas Police investigator in the Tippit case told him prior to a lineup on the evening of the murder (Ted Callaway, Warren Commission testimony).

By that Friday night, a rapidly developing narrative was becoming solidified in the reporting of news media and at the highest levels at the White House and the Justice Department: Lee Harvey Oswald acting alone was responsible for the killings of both President Kennedy and Officer Tippit.

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At about 7:30 am the next morning, Saturday Nov 23, 1963, a citizen in downtown Dallas found a paper bag near a street curb at Lamar and Ross. Inside the paper bag was an apple, an orange, and a snub-nosed .38 Smith & Wesson revolver.

The citizen turned that unusual find in to the Dallas Police that morning (<https://www.maryferrell.org/showDoc.html?docId=48693#relPageId=8>).

That handgun disposed of by someone in that odd manner—presumably someone wanting to disassociate that weapon from their person or property, perhaps because it had just been used in a serious crime—had been tossed in that paper bag on that city street sometime the preceding night, hours after Tippit was shot to death by someone using a handgun of the same caliber.

There were no homicides by handgun known in the Dallas area in that time frame other than the Tippit killing, which occurred just eighteen hours before someone tossed that revolver in the paper bag.

The existence of that revolver found in that paper bag was not disclosed to journalists or the public, even though the Homicide and Robbery Bureau of the Dallas Police had physical possession of that weapon by Saturday morning Nov 23, and the FBI had learned of it and was attempting to trace its serial number by no later than Monday Nov 25, 1963, according to FBI documents which came to light decades later after being declassified.

The revolver in that paper bag and all paperwork pertaining thereto was disappeared by the Dallas Police in its entirety. The disposition, fate and whereabouts of that revolver today are unknown. There is no record of ballistics analysis done on that weapon by the Dallas Police or FBI.

That revolver—tossed in that paper bag hours after the Tippit killing, so suspicious in its find circumstances, timing, and disappearance, simply vanishing from known existence from the face of the earth while in Dallas Police custody—could be the murder weapon in the Tippit killing, rather than the revolver found on Oswald's person.

For reference, below is the full text of the FBI document which refers to the find of that revolver turned in to the Dallas Police (<https://jfkconspiracyforum.freeforums.net/thread/983/gun-bag>). This FBI document, although it was declassified as part of a massive document release in 1978 brought about by Congressional pressure, went unnoticed until it was discovered and brought to attention by Paul Hoch in 1995.

MEMORANDUM

TO SAC, DALLAS (89-43) DATE: 11/25/63

FROM SA RICHARD E. HARRISON

SUBJECT: ASSASSINATION OF PRESIDENT KENNEDY

On 11/23/63, Patrolman J. RAZ brought into the Homicide and Robbery Bureau, Dallas PD, a brown paper sack which contained a snub-nosed .38 caliber Smith & Wesson, SN 893265.

This gun had the word “England” on the cylinder and had been found at approximately 7:30 AM in a brown paper sack, together with an apple and an orange, near the curb at the corner of Ross and Lamar Streets and was turned in by one Willie Flat, white male, 9221 Metz Drive, employed at 4770 Memphis, to the Dallas PD.

2-Dallas

REH:cah

(2) FBI DL 89-43-636

That FBI document was followed by three other FBI documents dated Nov 29, Nov 29, and Nov 30, 1963 (see at the same link above), which reported FBI efforts to trace the history of that firearm. The FBI found that that revolver had been shipped by the Smith & Wesson company in 1942 to the US Government, Hartford Ordnance, Hartford, Conn. According to a sales manager of Smith & Wesson:

“[S]hipments to Hartford Ordnance at that time were destined for England under Lend-Lease Agreement and stamping on cylinder is probably a proof-mark of that government certifying its acceptance. Such weapons are known to have been sold surplus in England, altered and rechambered in that country to accommodate thirty-eight special ammunition. Such weapons were subsequently imported for sale by U.S. gun dealers.”

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The Dallas Police waited six days to turn in the shell hulls identified as from the Tippit crime scene to the FBI, doing so on Thursday Nov 28, 1963. The chain of custody of those hulls was poorly supported, so much so that it raised the question whether hulls from cartridges fired from Oswald’s revolver had been substituted for the hulls found at the crime scene, prior to conveyance to the FBI lab to find out if they had been fired from Oswald’s revolver (“Were the Tippit crime scene shell hulls fired from the revolver of Lee Harvey Oswald?”, <https://www.scrollery.com/?p=1541>).

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It is possible the five bullets found in Oswald’s pants pocket (in a search of Oswald at the Dallas Police station by officers Boyd and Sims at about 4 pm on Fri Nov 22)—all

five Winchesters—could represent the original composition of bullets in Oswald’s revolver, before a substitution of three Remington cartridges giving agreement with the mix of two makes used by the killer of Tippit.

If Oswald had fired five shots and then reloaded six bullets from his pants pocket into his revolver to end up with the 3 + 3 Winchesters and Remingtons reported, there would have been eleven bullets in his pocket before that reloading, three of which would be Remingtons.

If it is assumed three Remingtons were among eleven prior to reloading, and six bullets were randomly selected, one at a time, until only five remained in the pants pocket, what are the odds that the five that remained would be 100 percent Winchesters—all five—in agreement with what actually was found in Oswald’s pocket?

I asked a friend with mathematics expertise to calculate those odds and this is what he calculated: if there was a starting condition of 11 original bullets consisting of 8 Winchesters and 3 Remingtons and then 6 random selections were withdrawn in succession, the odds would be only 12.1% that the remaining 5 would *all* be Winchesters, instead of *mixed*. The odds—if those were the starting conditions and there was no police tampering—would be 87.9% that what *actually* was found in Oswald’s pocket should *not* have been found that way.

In other words, if Oswald’s revolver contained the same distinctive mix of two makes matching to the Tippit killing, why were the bullets in Oswald’s pants pocket—from where all the bullets in Oswald’s revolver supposedly came—all only *one* remaining kind, Winchesters?

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Many analysts—including a majority of the seven members of the Warren Commission itself according to one of those seven, Senator Richard Russell—believed the assassination of JFK may have been a criminal conspiracy involving more than one person (“that’s what a majority of the Commission wanted to find”) (<https://archive.org/details/senator-richard-russell-and-the-great-american-murder-mystery>), in disagreement with the finding of the Warren Report which concluded that Oswald had assassinated JFK acting alone.

(That is, according to Senator Russell, a majority—four—of the seven members of the Warren Commission disagreed with their own unanimously-signed published finding on that point.)

Practically every national intelligence agency on earth assessed the assassination of President Kennedy had been done by a criminal conspiracy. LBJ knew. Robert Kennedy knew. They knew. They may not have known who did it or how it was done. But they knew it was not Oswald alone.

And if the assassination *was* a criminal conspiracy, there may have been an intention to kill Oswald following the assassination, an intent to immediately “kill the patsy”, so to speak.

One source who may have had knowledge of the assassination conspiracy, John Martino, a mob-connected leader in the anti-Castro movement in Florida, said there had been an intention on the part of those who carried out the assassination to meet Oswald in the theater and kill him (Anthony Summers, *Not in Your Lifetime: the Defining book on the J.F.K. Assassination. Fifty Years On, Weighing the Evidence* [1998; 1st edn 1980], 429-32; Larry Hancock, *Someone Would Have Talked* [2010], 27).

If so, that intention was thwarted when Oswald was arrested by Dallas Police and taken into custody at the Texas Theatre on Friday Nov 22.

That arrest gave Oswald two more days to live. On Sunday morning, Nov 24, Oswald was shot and killed while in police custody by Jack Ruby, a mob-connected Dallas nightclub operator.

Many studies have suspected that Ruby’s killing of Oswald was a mob-ordered execution and not the idiosyncratic impulse of passion motivated by sympathy for Jackie Kennedy claimed by Ruby as his alibi.

And yet, if so, the killing of Oswald that *did* occur occurred two days later than it “*should have*” occurred.

If there had been an intent from the beginning that Oswald be killed following the assassination, it “should” have occurred the day of the assassination, before an arrest. In other words, *perhaps at the Texas Theatre* (if it was known Oswald was going to meet someone there).

If there had been, at the time of the arriving officers at the Texas Theatre, someone *present in that theater* intent on killing Oswald just before he was arrested—i.e. the killer of Tippit surreptitiously entered and inside that theater prepared *to kill again*, this time *Oswald*—a mechanism of escape for the killer, if a killing of Oswald *had* been carried out then and there, might have been as simple as going out the back door of the theater and stealing a vehicle if perchance somebody might have left a key in an ignition with an engine running and abandoned a vehicle like that—left a vehicle with the engine running outside the back door (as was the case: <https://www.maryferrell.org/showDoc.html?docId=217804#relPageId=104>).

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The killer of Tippit *went into the balcony*. He was thought to *be* in the balcony (not the main floor). He *may still have been* in the balcony when police arrived. And he *may have been encountered by officers* that day who *let him go*, mistakenly thinking they had captured the killer of Tippit when Oswald was arrested in the main seating area below.

The following statements may tell the story. The 12/3/63 and 12/4/64 dates are written reports of officers to Dallas Police Chief Curry:

*Lieutenant Elmo L. Cunningham, 12/3/63: “We were told that the suspect was **in the balcony**”*

*Detective E.E. Taylor, 12/3/63: “We ... heard a report that a suspect fitting the description was seen in the Texas Theatre ... and was **hiding in the balcony**”*

*Patrolman K.E. Lyon, 12/4/63: “When we arrived at the Texas Theatre, we were told that the suspect had **gone to the balcony**”*

*Detective John B. Toney, 12/3/63: “we heard a radio dispatch informing all units of the shooting of a police officer, giving information that a suspect was **in the balcony** section of the Texas Theatre...”*

*Detective Paul L. Bentley, 12/3/63: “As I entered the theater, I was told by Det. John Toney that the suspect was **in the balcony**”*

*Detective Bob K. Carroll, 12/4/63: “When we entered the theatre, we were told by a white female that the suspect was **in the balcony**”*

Deputy sheriff Buddy Walthers, 11/22/63, Sheriff's Dept: “[We] then received radio information from Deputy Sheriff Bill Courson ... that the suspect was **in the balcony** of the Texas Theatre”

Julia Postal, ticket seller, Texas Theatre, Dec. 4, 1963: “I called the Police Department, and some woman answered, and I told her that I wanted to talk to an officer about a suspect. She referred me to a man, and I told him that this is the Texas Theatre at 231 West Jefferson. I told him that I knew that you men are very busy, but that I have a man in the theater that is running from you for some reason. The officer asked me what made me think he was running from us. I told him when the police drove by, that the man ducked in. The officer asked me if the man bought a ticket, and I told him no, he did not. Then he asked me what made me so sure that he was in the theatre. I told him that I knew he was in there, because he couldn't have gone by me. I told him to call it woman's intuition, or whatever he liked, but that man is in the theater, and he's running from you people, for something ... After I gave the officer the description for the man in the theater, he said, “Thank you, we'll be right there'...”

Johnny Brewer, manager, Hardy's Shoe Store (near the Texas Theatre), 1996 interview with Ian Griggs (ILG): “... And I said, ‘Julie, I'm gonna go inside and see if I can see him—there's something funny’. (ILG: *You went in and saw someone, didn't you?*) Yes, as I walked inside. Butch Burroughs. He was the concessionaire and ticket taker and whatever else and I asked Butch if he had seen anybody [go] in the theatre and he said no but he had been down behind the counter stocking concessions and whatever. He had not seen anybody. And I said, ‘Butch, come on with me’ and **we went up into the balcony**. And using the screen as a backlight we could see that **there were no heads up there**. (ILG: ***So the balcony was totally empty.***) **Yeah**. ... So I walked back up to the other side and walked out and I said to Julie ‘call the police’ and I said ‘Butch, you stay here out front and if anybody matching his description leaves, then stop them—and I'm gonna go back to the back and the exit out on to the alley’ ... When the house lights came on I looked up at the balcony and I seen the police in already—plain clothes and uniformed officers. They'd come in the front.” (<https://www.maryferrell.org/showDoc.html?docId=16235#relPageId=8>)

Deputy sheriff Bill Courson, in Sneed, No More Silence (1998), 485: “[A]s I stepped out of the car [the patrol car driven by Courson], the call came in on Tippit's radio, which was still on, that ‘The suspect, wearing a white or light colored jacket, has been seen **running into the balcony** of the Texas Theater.’ ... I

pulled up ... and went in and identified myself as an officer to the ticket taker. I didn't know whether she even saw me or not, but I flashed my badge, then walked from there onto the stairs. **I started up the stairs of the balcony because that is where the call said that he was hiding. I'm reasonably satisfied in my own mind that I met Oswald coming down.** I was looking for a man in a white or light colored jacket because at that time I hadn't been told that he had discarded the jacket and that it had been found. So there were two reasons **why I didn't stop him. I'm looking for a man in the balcony, not coming down walking casually**, and the description didn't fit because he was wearing a kind of plaid or checkered patterned shirt, not the light colored jacket. But **I'm reasonably sure that it was Oswald.**"

Comment: The man coming out of the balcony, who walked right past Courson looking for a killer in the balcony, certainly *was not* Oswald. Oswald was in the main seating area below and within moments of being arrested, according to the timeline of Courson. But in a possible analogy to the Tippit crime scene witnesses who identified the killer of Tippit as Oswald, Courson *thought* the man he met coming down from the balcony (who may have been the killer of Tippit) *had been* Oswald.

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Deputy sheriff Courson was in plain clothes that day, not uniformed. It appears that the man from the balcony, after passing Courson, when he *did* see uniformed officers approaching before he reached ground level, reversed direction and went back up the stairs, sat down at the top step and lit up a cigarette, telling arriving officers that that is why he was there (i.e. during the middle of the movie, he had decided to miss some of the movie and have a smoke so had gone to the top of the balcony stairs for that purpose). Uniformed officers coming up the stairs after Courson encountered the same man now back up at the top of the stairs.

Lieutenant Elmo L. Cunningham, 12/3/63: "We were told that the suspect was in the balcony. **We were questioning a young man who was sitting on the stairs in the balcony** when the manager told us the suspect was on the first floor. When I reached the seating area on the main floor, several officers were in the process of disarming and handcuffing the suspect [Oswald]..."

Lieutenant Elmo L. Cunningham, in Sneed, No More Silence (1998), 265: "I went up to the lady cashier and said, 'I had a report that some young man ran into the theater here' ... 'No', she said, **'There's a young man upstairs in the balcony. He just went up there.'** So three of us went up the stairs. **At the**

top step, we encountered a kid sitting there smoking a cigarette. I imagine we put quite a few gray hairs on his head, but he knew nothing about it and had just gone up there to smoke. Shortly after, somebody hollered, ‘He’s downstairs!’...”

Detective John B. Toney, 12/3/63: “Lt. Cunningham and I went into the theatre and up to the balcony section. There was **a young man sitting near the top of the stairs** and we ascertained from manager on duty that this subject had been in the theatre since about 12:05 PM. My watch indicated 1:55 P.M. at that time. At this time I heard someone from the main floor say in a loud voice, ‘He’s down here’...”

Deputy Sheriff Buddy Walthers, 11/22/63: “We arrived at this location [Texas Theatre] within a few seconds and were met by many other officers. Upon proceeding to the balcony of the theatre, I ordered the manager to turn on the house lights. **Some unknown officer was holding a white man at the steps of the balcony** and I proceeded on into the balcony. I looked over the balcony and saw a commotion in the center section, near the back, in the downstairs of the theatre, and I hollered to other officers, ‘He’s downstairs’ ...”

Comment: In the early 1960s “kid” or “boy” was used of men in their early 20’s, as can be seen *passim* in Warren Commission witness testimonies. For example, Marina Oswald referred to 19-year old Buell Wesley Frazier as a “boy”, etc. The man smoking encountered by Lt. Cunningham would be Courson’s “Oswald” (who was not Oswald), who had gone by Courson coming down from the balcony just before the arrival of Cunningham, Taylor, and Toney. Seeing uniformed officers entering the theater headed his way, Courson’s “Oswald” (who was not Oswald) turned around, went back up, and pretended he had gone there to have a smoke (the officers perhaps unaware that he had *come down from* the balcony before, seeing them, he reversed direction and *went back up*).

According to Toney, “we ascertained from manager on duty that this subject had been in the theatre since about 12:05 PM”. That sounds like the man from the balcony would be cleared from being the killer of Tippit who surreptitiously entered the theater and went into the balcony at 1:35 pm. But Toney may be reflecting hearsay, perhaps from Cunningham, the lead officer of their group of three. The “12:05 PM” time sounds like a mistake for 12:45, in keeping with an error in hearsay (or Toney’s memory), since ticket sales and opening of the doors to the public to the Theatre did not begin until 12:45 pm. The language “we *ascertained*” suggests whatever

general manager Callahan said or was represented to have said involved interpretation—“ascertained” applicable to the man in the balcony.

Toney’s “we” who ascertained, differing from his first-person “I” of surrounding statements, suggests the ascertaining may have been done more by Lt. Cunningham than by Toney. That is, “we” ascertained may mean Cunningham ascertained, told Toney, and Toney reported.

General manager Callahan never confirmed anything of what Toney said had been ascertained concerning the man in the balcony on the basis of a statement from Callahan. Callahan was never called to testify, never questioned, never interviewed.

Apart from the minor detail that the claim that the man in the balcony had been in the theater since 12:05 pm must be a mistake for 12:45, there is cause to question the reliability of what may be Cunningham’s representation of that alibi of the man in the balcony.

Cunningham appears to be the specific officer responsible for the loss or disappearance of record that the Dallas Police had of the name and contact information for the man from the balcony (probably backed up by some identification produced at officers’ request, in light of the balcony association). Cunningham lost or disappeared record of that name and contact information—of the man from the balcony—as part of his apparent responsibility for the loss or disappearance of *all* names and contact information of theater patrons that officers collected that day (see below). Those disappearances of important witness contact information appear intentional. The unverified hearsay alibi for the man from the balcony which may go to an origin from the same Lt. Cunningham is therefore questionable as well.

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Just as the man who came from the balcony, where the Tippit killer was, was mistakenly identified by Courson as Oswald, so Brewer on the ground level may have made the identical nature of mistake but in the opposite direction: mistakenly identifying Oswald as the Tippit killer who went into the balcony.

Mr. BELIN. All right. You saw this person Butch [Burroughs]?

Mr. BREWER. Yes, sir.

Mr. BELIN. You say he is the usher, too?

Mr. BREWER. Yes.

Mr. BELIN. What did you and Butch do?

Mr. BREWER. We walked down to the front of the theatre to the stage. First we checked the front exit, and it hadn't been opened. We went to the back and it hadn't been opened.

(...)

Mr. BELIN. So you knew that no one had left?

Mr. BREWER. Yes.

Mr. BELIN. Then what did you do?

Mr. BREWER. We went back up front and **went in the balcony and looked around but we couldn't see anything.**

(...)

Mr. BELIN. How many patrons were in the theatre at that time?

Mr. BREWER. I couldn't really tell. There weren't many, but it was dark and we couldn't see how many people were in there. There were 15 or 20, I would say, at the most, upstairs and downstairs.

Mr. BELIN. Together, 15 or 20?

Mr. BREWER. Yes.

Mr. BELIN. Then you went upstairs. **Did you see him upstairs?**

Mr. BREWER. **No**; I couldn't see anything upstairs.

Mr. BELIN. Did you hear any noises there?

Mr. BREWER. When we first went down to the exit by the stage, **we heard a seat pop up, but couldn't see anybody. And we never did see him. But we went back and upstairs and checked,** and we came down and went back to the box office and told Julia that we **hadn't seen him.**

Mr. BELIN. Julia Postal is the cashier?

Mr. BREWER. Yes; and she called the police, and we went—Butch went to the front exit, and I went down by the stage to the back exit and stood there until the police came.

Mr. BELIN. Then what happened?

Mr. BREWER. Well, just before they came, they turned the house lights on, **and I looked out from the curtains and saw the man.**

Mr. BELIN. Where was he when you saw him?

Mr. BREWER. He was in the center section about six or seven rows, from the back, **toward the back.**

(...)

Mr. BELIN. Then what happened?

Mr. BREWER. I heard a noise outside, and I opened the door, and the alley, I guess it was filled with police cars and policemen were on the fire exits and stacked around the alley, and they grabbed me, a couple of them and held and searched me and asked me what I was doing there, and I told them that there was a guy in the theatre that I was suspicious of, and he asked me if he was still there. **And I said, yes, I just seen him.** And he asked me if I would **point him out.** And I and two or three other officers walked out on the stage **and I pointed him out...**

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The arrest of Oswald which followed Brewer pointing him out to the officers has often been told. There was a fight and a struggle over Oswald's gun. Oswald was subdued and handcuffed and taken out front to a waiting car, through a mob which had gathered and was shouting to kill him. The remaining officers sealed the doors of the theater and questioned and took contact information from the persons inside.

Mr. BELIN - Then what happened?

Mr. BREWER - Well, then, the police officers and plainclothesmen, whoever they were, **got everybody that was in the theatre and set them aside, and another officer was taking their names and addresses of all the people that were in the theatre.**

Detective E.E. Taylor, 12/3/63: "I along with Lt. Cunningham and J.B. Ton[e]y remained at the Theatre and **took the names and addresses of the occupants of the Theatre.**"

Detective John Toney, in Sneed, No More Silence (1998), 308: "After the arrest, **we sealed the theater to get a list of the witnesses,** though there weren't many there ... we were merely **getting names** for the interrogators to be used later instead of interrogating them, per se, at the scene. **This information was then handed over to the Homicide Division.**"

But those names and addresses—which would have included a name and an address supplied by Courson's "Oswald" (who was not Oswald) from the balcony—disappeared in police custody. With only three exceptions (Applin, Davis, Gibson), none of the theater patrons that day is known by name, all disappeared and vanished to history.

Mr. BALL. Were you the senior officer there?

Mr. WESTBROOK. Possibly—I don't think there was another captain there. There was a lieutenant [Cunningham] and then **I ordered all of them to be sure and take the names of everyone in the theatre** at that time. ...

Mr. BALL. Do you have any questions?

Mr. ELY. Yes; I have one. Captain, you mentioned that you had **left orders for somebody to take the names of everybody in the theatre**, and you also stated you did not have this list; do you know who has it?

Mr. WESTBROOK. No; possibly Lieutenant Cunningham will know, **but I don't know who has the list.**

In 1998 Cunningham said he did not remember if he turned in the list but he had determined that none of the theater patrons had information of interest so no harm was done by not preserving the names and contact information that Westbrook had ordered preserved.

*Lieutenant Elmo L. Cunningham, in Sneed, No More Silence (1998), 265-66: “There were about a dozen patrons in the theater which had just opened on that Friday afternoon around 1:00 o'clock. The two other officers and myself asked people what information they had which was absolutely nothing... After he [Oswald] was taken out, I didn't take any written statements from the dozen or so people in the theater; **I just talked to them and took their names down. In fact, I don't recall whether I turned the list of names in or not.** In any case **there was nothing there** in light of useful information...”*

~ ~ ~

That among the dozen-plus persons in the theater that day there was one who had some resemblance to Oswald (but was not Oswald)—the man who came out of the balcony and passed by Courson, who resembled Oswald sufficiently to cause Courson to think it had *been* Oswald—received independent support from usher Burroughs. Burroughs told author James Douglass that among the theater patrons gathered by police after Oswald was taken away there was one who was “an Oswald look-alike ... looked almost like Oswald, like he was his brother or something ...” (James Douglass, *JFK and the Unspeakable: Why he died and why it matters* [2008], 292-93, citing interview of Warren Burroughs, July 16, 2007).

The information from the witnesses inside the theater suggests Brewer could have been mistaken in identifying Oswald on the ground floor as the man who had been in

front of Brewer's store and then went into the balcony of the Texas Theatre. Brewer's identification of Oswald at a distance from the stage of the theater could have been as mistaken as Courson's. From Tom Wallace Lyons writing in 1997:

“**[Dallas Assistant District Attorney Jim] Bowie** ... told [Leo] Sauvage [author of *The Oswald Affair* (1966)] he didn't know whether Oswald had purchased a ticket, that **[Julia] Postal was 'too upset to remember.'** ... In *Crossfire* and conversations with me, [author Jim] Marris discussed a taped interview with Butch Burroughs. Marris states that **Butch Burroughs (the ticket-candy man) told him that somebody indeed stole into the Texas Theatre at about 1:35 p.m.**; that he went and checked when he saw the double door to the theater open. Burroughs also checked the balcony to which the person had obviously ascended. He did not find him.

“**But this person was not Oswald.** Marris writes that Burroughs told him that Oswald purchased a ticket and even bought some popcorn; that he entered the theater shortly after 1 p.m., prior to the Tippit shooting. Marris corroborates Burroughs on this point through Jack Davis, a theater patron, who told him that Oswald sat next to him minutes after the 1 p.m. beginning of the film.

“Also, Marris says **Burroughs told him Julia Postal knows she sold Oswald a ticket.** (...) Marris referred me to J. Harris, a long time assassination investigator, who told me he interviewed Julia Postal. This interview took place in the office of the Texas Theater manager ... Harris turned the discussion to the moment the police brought Oswald out of the Texas Theatre. Harris asked Postal whether, upon seeing Oswald, she had had any sense that she had sold him a ticket. Postal immediately burst into tears. Harris walked out of the office, then reinterviewed Postal in an attempt to calm her with less troubling questions. But she burst into tears again when asked whether she might have sold Oswald a ticket.” (Tom Wallace Lyons, “The Ruddy Link between the Tippit Murder and the Texas Theater” (*The Fourth Decade* 4/5 [July 1997], 3-9 at 6, <https://www.maryferrell.org/showDoc.html?docId=48700#relPageId=6>)

Burroughs again in 2007:

“**As he [Burroughs] told me [Douglass], he sold popcorn to Oswald at 1:15 p.m.**—information that the Warren Commission did not solicit from him in his testimony ... Burroughs told author Jim Marris and myself that he saw Oswald go back in the ground floor of the theater and sit next to a pregnant woman ... Jack Davis said it may have been ‘twenty minutes or so’ after

Oswald returned from the lobby (when Burroughs saw Oswald sit by the pregnant woman) that the house lights came on and the police rushed in...” (Douglass, *JFK and the Unspeakable* [2008], 291-92, citing Burroughs in 2007)

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The identity of the man who came down from the balcony and went past Courson, then went back up to the top of those stairs again—who allegedly was more interested in smoking a cigarette on the stairs than watching the movie which was his supposed reason for being in the theater, while the feature was playing—is unknown in any surviving record.

That is unfortunate, because that man, coming from exactly where the killer of Tippit had gone, may have been the Tippit killer.

If not for an accident of circumstance Oswald might have been killed in the Texas Theatre by that man on Friday, instead of in the parking basement of the Dallas Police station by Ruby on Sunday.

And so this is the background to return to the starting question: when the Tippit killer went into the Texas Theatre into the balcony and the police swarmed the Texas Theatre and arrested Oswald, was Oswald *the next intended victim of that Tippit killer?*

That is the context and background to the analysis of the jackets that follows.

CE 162 as the Tippit killer’s jacket

A starting point of what follows is that CE 162 was the jacket of the Tippit killer, as a fact of the case. There is little room for question that that identification is correct despite irregularities in the reporting of the find circumstances. That identification is based on these points:

- The killer of Tippit abandoned a jacket he was wearing in flight (because he was seen by many witnesses wearing a jacket at the Tippit crime scene, then seen by Brewer not wearing a jacket).
- The location where CE 162 was reported found—in a parking area behind Ballew’s Texaco service station on the corner of Jefferson and Crawford—is on the path the killer was seen running.

- There is a report of a witness seeing the killer “tugging” at his jacket or looking like he was starting to take the jacket off just before the killer disappeared from that witness’s view onto the property where CE 162 was found.
- There is a report that another witness saw the killer take off his jacket at that location.
- CE 162 is in exact agreement in color and description with the jacket worn by the killer of Tippit as described by witnesses at the Tippit crime scene (to be discussed below).
- No one at Ballew’s Texaco claimed the jacket found at their location belonged to another person, such as an employee or customer.
- An “M” size on the jacket’s label is in agreement with physical descriptions of the killer of Tippit from witnesses, as a young white male, neither tall nor extremely short, not noticeably heavy or thin.

Police irregularities in the reporting of the find of CE 162 in the light of a surprising back story first reported in the year 2020

Dale Myers wrote a blog post on Nov 12, 2020, reporting information from a previously-unreported witness, Doretha Dean, part of the husband-and-wife operators of Dean’s Dairy Way at 409 E. Jefferson Blvd., told by surviving family members, the daughters of Doretha (<https://jfkfiles.blogspot.com/2020/11/warren-reynolds-and-oswalds-jacket.html>). Dean’s Dairy Way was located immediately adjoining Ballew’s Texaco.

The killer of Tippit was seen by witnesses near the crime scene going west on Jefferson after having gone south on S. Patton. The killer was seen by Doretha Dean and other witnesses passing in front of Mrs. Dean’s store. Then the killer turned north, in between the buildings of Ballew’s Texaco and Dean’s Dairy Way close together, before emerging on the other side into an open parking area and alley out back. It was in that parking area behind Ballew’s Texaco that CE 162 was reported found by police, after it had been abandoned by the killer.

However, Mrs. Dean’s daughters told Myers a different story of the find circumstances of CE 162, according to a story known to the family of Mrs. Dean.

For Doretha Dean always told her daughters that *she—Doretha Dean—*had been *the first finder of that jacket* before the police knew of it. And Doretha Dean said that the jacket was *not* originally found by a police officer under a car in the parking lot out back, but *by her* on a tire rack on the east side of Ballew’s Texaco in the narrow corridor

between Ballew's Texaco and the west side of Dean's Dairy Way. (That is, on the same property of Ballew's Texaco, but at a different spot at that property.)

According to Doretha Dean's daughters' account of their mother's story, Doretha saw a man—the Tippit killer—walking west in front of Doretha's store, tugging on his jacket as if starting to take it off. The man turned right (north), around the corner of her store headed to the parking area in the rear of the stores. Mrs. Dean, curious, walked outside to look around the corner to see where the man had gone, and there *found the jacket on the tire rack*. As one of the daughters told Myers:

“My mother stepped out of the store and peeped around the corner. My sister says that he had flung the jacket onto a tire rack of the Texaco station next door. My mother picked it up and came back into the store. Later when the police arrived, my mother turned the jacket over to them telling them she had found it on the tire rack.”

Despite Myers finding Mrs. Dean's story as related by her daughters otherwise credible, Myers rejects *this* part of Mrs. Dean's story, of the jacket find, on the grounds that the long-reported traditional version of the find of CE 162 by police under a car in the parking area to the rear has too much support (Myers judges) not to be correct. Myers seems to assume that the two stories are incompatible, such that if one story is true then the other is excluded.

But it is possible both stories could be correct. *First* the jacket was found by Mrs. Dean. *Then* the jacket was given to police and reported found by police in the parking lot.

The tire rack of Mrs. Dean's story was in between two buildings' walls, mostly hidden from view, an opportune place for the killer to have taken off and abandoned the jacket (CE 162) without being seen doing so, before emerging to view again in the open area behind the buildings now of a different physical description, minus the jacket. A still frame from a contemporary news footage posted by Myers shows the tire rack next to Ballew's Texaco on the day of the Tippit murder, in agreement with that detail of Doretha Dean's story.

Longstanding anomalies understood in a new light

It has long been noted how odd it always was that no officer was willing to remember or be named as the officer who actually first found CE 162. Captain William Westbrook was often credited as the jacket's discoverer because he reported the

discovery of the jacket on police radio and his name is on a paper document turning the jacket over to the crime lab. But Westbrook himself as well as other officers testified it was not Westbrook who first found it. Westbrook said another officer gave him the jacket at the scene but he, Westbrook, did not know who that officer was.

Mr. WESTBROOK. Actually, I didn't find it—it was pointed out to me by either some officer that—that was while we were going over the scene in the close area where the shooting was concerned, someone pointed out a jacket to me that was laying under a car and I got the jacket and told the officer to take the license number.

Mr. BALL. When did this happen? You gave me a sort of a resume of what you had done, but you omitted this incident.

(...)

Mr. BALL. Behind the Texaco service station?

Mr. WESTBROOK. Yes; behind the Texaco service station, and some officer, I feel sure it was an officer, I still can't be positive pointed this jacket out to me and it was laying slightly under the rear of one of the cars.

Mr. BALL. What kind of a car was it?

Mr. WESTBROOK. That, I couldn't tell you. I told the officer to take the make and the license number.

Mr. BALL. Did you take the number yourself?

Mr. WESTBROOK. No.

Mr. BALL. What was the name of the officer?

Mr. WESTBROOK. I couldn't tell you that, sir.

(...)

Mr. BALL. I offer this as Exhibit B of Captain Westbrook's deposition. Now, you don't know the name of the officer?

Mr. WESTBROOK. No; I probably knew his name, but we see so many things that were happening so fast.

(...)

Mr. BALL. I show you Commission Exhibit 162, do you recognize that?

Mr. WESTBROOK. That is exactly the jacket we found.

Mr. BALL. That is the jacket you found?

Mr. WESTBROOK. Yes, sir.

Mr. BALL. And you turned it over to whom?

Mr. WESTBROOK. Now, it was to this officer—that got the name.

Mr. BALL. Does your report show the name of the officer?

Mr. WESTBROOK. No, sir; it doesn't. When things like this happen—it was happening so fast you don't remember those things.

No other officer at the scene at the time would identify the officer who first found and then handed the jacket to Westbrook. Any specific officer asked if they were that officer would deny and say it was some other unnamed officer whose name could not be recalled. For example motorcycle officer Thomas Hutson was there and told the Warren Commission he saw the jacket picked up by “another officer” whom he claimed he could not identify. Hutson testified that Westbrook was there, “but I don't know who had it in their hands. The only time I saw it was when the [other unnamed] officer had it.”

To the present day it is not known which officer first found that jacket (CE 162) in the parking lot prior to Captain Westbrook. Not surprisingly the question has been asked over the years: why the mystery?

Myers' reporting of the Doretha Dean story in 2020 may suggest an explanation or solution to this puzzle. For if Mrs. Dean's story is true, in which she was the original finder of the jacket in a different location, had picked it up, taken it with her into her store until police arrived, and then turned it over to police when she saw them arrive, this could present a problem from the police point of view: because chain of custody establishing provenance had been compromised and perhaps risked rendering that critically important item of physical evidence unusable in court, depending on the judge.

An officer or officers therefore might have thanked Mrs. Dean, then taken the jacket and proceeded to “discover” it themselves in a location nearby—under one of the cars in the parking area, perhaps near where an officer who received it from Mrs. Dean in her store walked it back to the other officers—without any officer directly falsely claiming to be that jacket's original finder (if one notices carefully). The testimonies of Westbrook and the other officers at the scene, in which no one could remember which officer had first spotted and picked it up, would be consistent with this reconstruction, in which Mrs. Dean found it before police officers and any officer who knew did not want to volunteer or disclose that, while stopping short of actual perjury. The reporting of the find of CE 162 would be understood in terms of police desire to have physical evidence able to be used by prosecutors in court.

Possible support for Mrs. Dean's story in the record

One item in the contemporary record may support Mrs. Dean's tire-rack location where the killer abandoned the jacket. In an FBI document of Aug 24, 1964 referring to a statement of witness B.M. Patterson of Reynolds Motor Company of Nov 23, 1963, it is said that Patterson—who along with his coworker Warren Reynolds followed the killer west on Jefferson from the other side (south side) of Jefferson and saw the killer run north between Ballew's Texaco and Dean's Dairy Way—"did identify Oswald and also *saw him discard his zipper jacket*" (<https://www.maryferrell.org/showDoc.html?docId=62230#relPageId=109>).

From the accounts of Patterson and Reynolds, as they followed the killer on Jefferson they kept some distance behind (for safety). If Patterson did witness (according to the FBI report) the killer remove his jacket, it is sensible that it would have been from a vantage point from across the street on the south side of Jefferson.

There is no vantage point from the south side of Jefferson by which a person could see another person remove a jacket at its reported find spot in the parking lot out back, due to no line of sight through the Ballew's Texaco building. But from across the street on the south side of Jefferson, Patterson could be in a perfect line of sight to have seen the killer discard the jacket in the space between the buildings, at the tire rack told by Mrs. Dean. In other words the FBI understanding of Patterson's story may support the Mrs. Dean story. In Mrs. Dean's story, she saw the killer "tugging at his jacket" as he passed in front of her store and turned north. This would be when Patterson, watching from across the street on the other side of Jefferson, could see the killer discard the jacket as he went between Ballew's Texaco and Dean's Dairy Way where Mrs. Dean told her family she found the jacket.

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Another detail in Mrs. Dean's story discussed by Myers concerns Mrs. Dean hearing an attempted forced entry into an abandoned building next door on the other, east side of Dean's Dairy Way. Here is the daughters' retelling as told in Myers' blog post. Mrs. Dean is inside her store, Dean's Dairy Way...

“[Mrs. Dean] heard a loud banging on the door of the two-story house next door at 413 E. Jefferson Boulevard. She described it as someone ‘shaking and banging on the door as if they were ripping off the hinges of the screen door trying to get in.’ She said that the efforts she heard were ‘hard, fierce, and determined.’

“Immediately after hearing those sounds, she heard someone ‘running down the rickety stairs that led down from the second floor’ of the second-hand store.

“This caused her to look up and out the front window in an easterly direction toward the second-hand store. Just as she did, a young man rounded the corner walking briskly in a westerly direction. As he broke into a run, he was tugging at his jacket, as if to take it off. In those days, the Dairy Way had an overhead door so it made the store fully open rather than windowed, and the cashier’s counter was close to the sidewalk. Mrs. Dean got a good look at the man who passed her at less than ten feet and positively identified him as Lee Harvey Oswald. She stepped outside the store and peered around the corner at the area in between the store and the Texaco service station next door. She saw Oswald continue behind the service station and into the parking lot.”

Based on this account from Mrs. Dean, Myers believes the killer *ran up the stairs* of the vacant building next door to try to break into a locked abandoned building. When that failed, Myers reconstructs, the killer *raced down the stairs again* and continued west on the sidewalk in front of Mrs. Dean’s store.

Although that is the sequence in the story as told by the daughters, that makes little sense as the movements of a fleeing killer. A simpler and surely correct explanation is that those sounds from next door of Mrs. Dean’s memory were not from the killer (even if Mrs. Dean or her daughters may have thought so), but rather were the sounds of *police who did exactly what Mrs. Dean heard*, stormed up those outside stairs to a second-story door to beat on the door, then race back down again, shaking down that vacant building because police mistakenly believed the killer might have gone into that building. The retelling by Mrs. Dean’s daughters simply had two distinct things (which both happened) told out of order. Mrs. Dean saw the killer go by her store (that happened first). And Mrs. Dean heard the storming of the abandoned building next door—later told to Myers by the daughters, out of order, as if it had been the *killer* who made those noises that the officers did, noisily stormed up those stairs and banged and beat on the door.

Reporter Hugh Aynesworth of the *Dallas Morning News* was there and described the police storming of that building, which was a vacant antique store next to Dean’s Dairy Way:

“‘Some [officers] went upstairs,’ Aynesworth remembered. ‘And all these cops were peeking behind things and hollering, ‘Come out of there you son-of-a-bitch, we’ve got you now!’” (Myers, *With Malice*, 184)

Reporter James Ewell of the *Dallas Morning News* was also there and echoes the same:

“[I] saw [Dallas County assistant district attorney] Bill Alexander **up on the second-floor balcony** of the house next door [to Dean’s Dairy Way], with his gun drawn, in the middle of a house to house search.”

This then is what Mrs. Dean heard at that house, without necessarily understanding what it was she was hearing.

Therefore the killer did not try to hide by leaving the sidewalk of Jefferson to run up a flight of stairs of a random building to beat on a door noisily trying to break it in, then when finding the random door locked ran back down the stairs to the sidewalk to continue west again. It was police shaking down the house, not the killer, that Mrs. Dean heard as the cause of those noises.

The back story to the CE 162 jacket find told by the daughters of Mrs. Dean adds context to some facts. The true circumstances of the find of that jacket were not volunteered by the Dallas Police, but technically not denied either. This does not affect that CE 162 was the Tippit killer’s jacket.

***Précis* of the argument to follow: why Oswald’s gray jacket was *not* CE 162, the Tippit killer’s jacket**

- Because Oswald’s gray jacket was *gray*, but CE 162 is a different color, an *off-white light tan* (to be discussed below).
- Because with the exception of a manipulated and mistaken identification by Marina of CE 162 in her Warren Commission testimony in February 1964 (the only time Marina was shown that jacket and then in a contrived context), *no one* who saw Oswald wearing his gray jacket to Irving and to work, identified CE 162 as Oswald’s gray jacket. Buell Wesley Frazier categorically rejected that CE 162 was Oswald’s gray jacket with which Frazier was familiar.
- Because Buell Wesley Frazier described Oswald’s gray jacket as flannel or woolen-like in material, which does not describe CE 162.
- Because the FBI, in all of their interviews of Marina before her Warren Commission testimony, never showed her CE 162 to ask if she recognized it,

an unusual omission, one explanation of which could be awareness of risk that her answer might not be what was wanted.

- Because Oswald's gray jacket appears identifiable in a photo of Oswald taken in Minsk, when Oswald was in the Soviet Union, and that jacket is not CE 162.
- Because Oswald wore his gray jacket to Irving on Thursday Nov 21, and to work at the Book Depository on the morning of Friday Nov 22, according to testimony of Buell Frazier and Linnie Mae Randle and supported by testimony of Marina, which is inconsistent with Oswald *newly* putting on his gray jacket at his rooming house in Oak Cliff when he changed clothes there at 1:00 pm Friday according to the Warren Commission reconstruction in which Oswald's gray jacket was CE 162.
- Because Mary Bledsoe's strange description of a "shirt" she saw Oswald wearing on a bus after Oswald left the Book Depository is to be understood as a description of Oswald's gray jacket, with no buttons and a torn right elbow matching the jacket in the Oswald Minsk photo, which is not CE 162.
- Because there is no photograph of Oswald wearing CE 162 among the photos of Oswald in the Soviet Union, contrary to what might be expected if CE 162 were Oswald's gray jacket.
- Because there is no photo of Oswald wearing CE 162 at all.
- Because Ruth Paine did not confirm ever seeing CE 162 worn by Oswald. In all of the voluminous testimony of Ruth Paine, she was never shown CE 162 and asked if she recognized it. One possible reason Ruth Paine was not asked could be because Ruth Paine's answer to that question might not be wanted on the record.
- For the above reasons, although CE 162 *was* the *Tippit killer's* jacket, CE 162 *was not* Oswald's *gray jacket*.

The color of the Tippit killer's CE 162 jacket was misrepresented by the Warren Commission: *it was not gray*

A first point of fact concerns the color of the Tippit killer's abandoned jacket, CE 162. The Warren Commission consistently referred to CE 162 as "light gray" or "gray" in color, as does Dale Myers' encyclopedic study of the Tippit case, *With Malice: Lee Harvey Oswald and the Murder of Officer J.D. Tippit* (2013; 1st edn 1998), 340-42, 345-46, 478, and other articles and books routinely to the present day.

But "gray" is simply not accurate: CE 162, the jacket found by police and the jacket of the Tippit killer, *was not gray, never was gray*. It was an off-white light tan. There were witnesses who inaccurately *called* it gray, and CE 162 could have *looked gray* under certain indoor lighting conditions, but that does not mean CE 162 *was gray*. Nor does

this point need to be a matter of debate: the jacket exists today and color photos of the jacket from 1964 are published today, in addition to many contemporary witnesses' descriptions of the jacket's color from November 1963 and thereafter.

Tippit crime scene witness descriptions of the color of CE 162

Here are the Tippit crime scene witnesses' descriptions of the Tippit killer's jacket, and the reactions of those witnesses who were shown CE 162. I have attempted to make this list comprehensive of known information. Witnesses are listed in alphabetical order.

Domingo Benavides (WC): "he had a **light-beige** jacket zipper type jacket".

When shown {CE 162} (WC):* "I would say this looks just like it. Looks like he had laundered it, but it looks like it was a new coat then."

[*Note: the actual transcript reads "CE 163" (*sic*) which is impossible; Warren Commission counsel Belin who did the questioning of Benavides later said the "CE 163" was a typo as it surely was. Benavides' answer is clearly in response to being shown CE 162, not CE 163.]

Mary Brock (FBI, 1/21/64): "a **light-colored** jacket".

Jimmy Burt (FBI, 12/15/63): "He was wearing a **light colored** short jacket."

Ted Callaway (WC): "I told them he had ... a **light tannish gray** windbreaker jacket."

Callaway secondhand report (Nov 22, 1963, officer Howell Summers broadcast on police radio): "I got an eyeball witness to the getaway man that—ah—suspect in this shooting. He's a white male, 27, 5 feet 11, 165, black wavy hair, fair complected, wearing a **light gray Eisenhower-type jacket**, dark trousers and a white shirt..." (Myers, *With Malice*, 202-4).

Comment: although Officer Summers does not name his witness in this police broadcast, Summers' witness was Ted Callaway according to Myers' note 1087 at *With Malice*, p. 786. In his Warren Commission testimony Callaway testified he told the officer (Summers) the color was "light tannish gray", although the police radio transcript has Summers reporting the color as an unqualified "light gray".

Mr. BALL. What kind—when you talked to the police officers before you saw this man, did you give them a description of the clothing he had on?

Mr. CALLAWAY. Yes, sir.

Mr. BALL. What did you tell them you saw?

Mr. CALLAWAY. **I told them** he had some dark trousers and **a light tannish gray windbreaker jacket**, and I told him that he was fair complexion, dark hair.

When shown CE 162 (WC): “Yes; it sure does. Yes, that is the same type jacket. Actually, **I thought it had a little more tan to it.**”

From a police report of Nov 22, 1963: “Mr. Callaway and Guinyard were then taken up to the crime lab on the 4th floor where Captain Doughty showed us a jacket that was found along the route taken by the suspect from the scene of the Tippit shooting. They identified it as the same one or one just like the one worn by the suspect” (Dallas Police officer Jim Leavelle, report to Chief Curry, 11/22/63).

Barbara Davis (WC, telling of seeing Oswald at a police lineup): “except he [Oswald] didn’t have a **black coat** on when I saw him in the lineup ... a **dark coat** ... a **dark coat**”.

When shown CE 162 (WC): “**No, sir** ... it was **dark** and to me it looked like it was maybe a wool fabric, it looked sort of rough. Like more of a sporting jacket.”

Comment: this is rejected as a witness description of either CE 162 or the killer’s jacket, because (a) the witness says the jacket she is describing is not CE 162; and (b) the “black coat” she describes is so different from all other witness descriptions of the gunman’s jacket as light-colored that it is unlikely she is describing the same jacket. Although Barbara Davis said she saw a black coat worn by a man she said was the fleeing gunman whom she positively identified as Oswald (on the basis of seeing the gunman from a side view, she said), this is best interpreted as a confusion from Barbara Davis seeing not the gunman but another man, a witness, wearing a black coat who also went past her front door and yard. One possibility could be Jimmy Burt who described himself as taking that movement with respect to Barbara Davis’s home (“Burt said he ran to the intersection of 10th and Patton and when he was close enough to Patton Street to see to the south...”),

<https://www.maryferrell.org/showDoc.html?docId=10598#relPageId=30>).

No other witness said the color of the Tippit killer's jacket was anything close to "black". Therefore this witness's description is rejected as relevant to the color of the killer's jacket or CE 162.

Virginia Davis (WC): "**light-brown-tan** jacket ... **brown** jacket".

Sam Guinyard (WC): "a little sort of **light-gray-looking** jacket ... a little **gray** jacket".

When shown CE 162 (WC): "That's his jacket ... Yes; that's the **gray** jacket ... Yes, that he had on".

From a police report of Nov 22, 1963: "Mr. Callaway and Guinyard were then taken up to the crime lab on the 4th floor where Captain Doughty showed us a jacket that was found along the route taken by the suspect from the scene of the Tippit shooting. They identified it as the same one or one just like the one worn by the suspect" (Dallas Police officer Jim Leavelle, report to Chief Curry, 11/22/63).

Comment: Callaway and Guinyard were shown CE 162 under indoor lighting, some forms of which such as fluorescent lighting can cause warm hues to look bluish or cold-gray. It is possible CE 162 shown indoors to Guinyard did look gray, and Guinyard was influenced by that color memory at the police station when asked the color of the jacket he saw on the killer on S. Patton.

Helen Markham (WC): "light short jacket ... short jacket ... **kind of a grayish tan ... a light gray looking** jacket".

Secondhand (Dallas Police officers Poe and Jez from Markham, Nov 22, 1963): "a brown jacket"

(<https://www.maryferrell.org/showDoc.html?docId=217806#relPageId=191>).

Secondhand (Officer Poe from Markham, WC): "I believe she said had on a white jacket at the time."

When shown CE 162 (WC): "No, I did not [see this jacket before] ... it was darker than that, I know it was"

Comment: Helen Markham similarly answered in her Warren Commission testimony insisting that she had not previously seen any of the men in the

lineup before she picked Oswald out of that lineup as having been the gunman she saw kill Tippit. Was Helen Markham misunderstanding the question, thinking she was being asked whether police or investigators had shown her the jacket before?

Warren Reynolds, secondhand (as told by Officer Walker, police radio, Nov 22, 1963): “wearing a **white** jacket”.

Comment: this is the color that went out over police radio on Nov 22, 1963. Officer Roy Walker: “Reynolds gave me the description of the gunman and I put it on the radio” (Myers, *With Malice*, 168).

Comment: Reynolds was not himself asked to say the color of the jacket he saw in his Warren Commission questioning or in any other known record.

William Scoggins (WC): “**light-colored** jacket”

When shown CE 162 (WC): “It appears to be a little lighter, but the sleeves look similar all right, the type of sleeve. He had on his jacket the type of sleeves of that, but I thought it was a little darker.”

William A. Smith (FBI, 12/12/63): “**light brown** jacket”

When shown CE 162 (WC): “yes, sir, that looks like what he had on. A jacket ... Yes [that is the jacket he had on]”.

Jack Tatum (HSCA): “zippered jacket” (no color given).

Comment: There is a reference to Tatum saying he saw a “light blazer” (from interviews of Tatum in 1983 and 1984 cited at Myers, *With Malice*, 172), in which “light” in context is color not weight. However it is not entirely clear that what Tatum refers to as a “light blazer” was a description of the gunman’s jacket. Tatum first saw the gunman (the real gunman) standing on the south side of the Tippit patrol cruiser as he drove by going west on Tenth. Then, breaking eye contact, Tatum heard the shots as he approached and went through the Tenth and Patton intersection and on the other side of Patton looked back again. Now he saw a man walk around the back of the patrol cruiser who Tatum—in his first reported telling of this fifteen years later in 1978—said was the same gunman. But the person Tatum saw the second time

may not have been the gunman. Tatum in this second phase may have seen a witness which Tatum mistook for the gunman.

Tatum said he saw this “gunman” shoot the prone Tippit again from Tippit’s side of the patrol car. But no other witness saw that or heard a gap in time before the final shot, which suggests an alternative interpretation in which Tatum at his distance actually saw a witness pointing to the prone body of Tippit to another person, which looked illusorily to Tatum as if the pointing witness was firing a gun at Tippit (the pointing witness perhaps could be Jimmy Burt or William Smith).

If Tatum did not see the actual killer in this second phase, that removes confidence that the “light blazer” is a description of the killer’s jacket (although it still could be if Tatum’s description applied to the man Tatum first saw at the right front of Tippit’s patrol car).

Those are all of the known Tippit crime scene witnesses who gave descriptions of the gunman’s jacket that I could find. Of the twelve listed, one gave no color description applicable to the killer’s jacket with confidence (Tatum), and another is rejected from the database on the grounds of not describing either CE 162 or the jacket of the Tippit killer (B. Davis).

That leaves ten remaining as the database of Tippit crime scene witnesses who gave color descriptions of the jacket of the gunman:

- white (Reynolds [the only one of these reported secondhand])
- light colored (Scoggins)
- light colored (Brock)
- light colored (Burt)
- light beige (Benavides)
- light tannish gray (Callaway)
- light brown (Smith)
- light brown tan ... brown (V. Davis)
- grayish tan ... light gray (Markham)
- light gray ... gray (Guinyard)

In sum, quantitatively the color descriptions are:

- 1 said “white”
- 3 said “light” colored

- 1 said “light beige”
- 3 said “tan”
- 2 said “light brown”
- 3 said “light gray”
- ALL ten of these, without exception, used either the words “light” (9 witnesses) or “white” (1 witness) in their color descriptions

Considering beige, tan, and light brown to be a related cluster of the same “warm” hue or color, *5 out of the 7* who named a color said one of the colors in this cluster (beige, tan, brown).

Of the 6 out of the 10 in the database who were shown CE 162 and asked if that was the jacket they saw on the killer, 5 of those 6 answered directly or effectively “yes” (Benavides, Callaway, Guinyard, Scoggins, Smith) and 1 answered negatively (Markham).

Only 3 (Guinyard, Markham, Callaway) said “gray” and of those, 2 (Callaway, Markham) used “gray” to modify a tan color or vice versa (“*tannish* gray”, “grayish *tan*”).

Only 1 of the 10 (Guinyard) named the color of the killer’s jacket an unqualified “gray” or “light gray” in agreement with the Warren Commission’s consistent use of only unqualified “gray” or “light gray” in description of CE 162.

The discrepancy between nearly all of the Tippit crime scene witnesses saying the killer’s jacket was light tan in color (or close to that in similar beige or light brown off-white color), and not the unqualified “gray” of the Warren Report’s description of CE 162, is *not* an argument that CE 162 was not the killer’s jacket, for the original Warren Commission color photo of CE 162 can be seen at Myers, *With Malice* (2013), 478, and CE 162 is light tan in its off-white.

The descriptions of the killer’s jacket of the Tippit crime scene witnesses are in excellent agreement with CE 162. It is the Warren Commission’s consistent reference to CE 162 as “light gray” or “gray” which is inaccurate and misleading.

Collected descriptions of CE 162 from persons in the parking lot behind Ballew’s Texaco at the time CE 162 was found:

Officer Thomas Hutson (7H30): “It looked like a **white** cloth jacket to me”

Officer J.T. Griffin (over police radio): “**white** jacket ... a **white** jacket”

Capt. William Westbrook (Sneed, No More Silence [1998], 317): “The only thing that I remember is that it was kind of a **tan, beige, or rye** color, whatever you want to call it.”

Assistant District Attorney William Alexander (Sneed, No More Silence [1998], 533): “a gabardine **gray** jacket”

Dallas Morning News reporter Jim Ewell (Sneed, No More Silence [1998], 8): “I remember it as being a **light tan** windbreaker”

An early written description of CE 162 as “gray”

Warren Commission exhibit CE 2003 shows a Dallas Police Department Crime Scene Search Section document which refers to a “gray mans jacket ... found on parking lot w. of Patton between Tenth and Jefferson”. At the bottom of the document is typed “released to Vince Drain. FBI 11-28-63 10 PM”. Below that several additional items of physical evidence are listed. Below that is a handwritten signature and date, “Vince Drain 11/28/63”

(<https://www.maryferrell.org/showDoc.html?docId=1140#relPageId=271>).

That date, Nov 28, 1963, is the date most of the physical evidence possessed by the Dallas Police Department related to the JFK assassination was conveyed to the Dallas office of the FBI, which in turn conveyed those items to Washington, D.C. to the FBI lab there.

The document in CE 2003 is what the Warren Commission received from the FBI which received it from the Dallas Police. It is a carbon copy and has a sticker covering up a date and time and name of the officer who submitted the CE 162 jacket to the Crime Scene Search Section, namely “November 22, 1963 ... 3 PM ... Captain W.R. Westbrook of DPD Personnel Office”. The sticker covering those lines on the carbon received by the FBI is typed, “This is a list of evidence that was released from our crime lab to the FBI 11-28-63”. The original (kept by the Dallas Police) and the carbon (which was given to the FBI and became Warren Commission exhibit CE 2003) can be seen in a side-by-side comparison posted by Gil Jesus: <https://gil-jesus.com/wp-content/uploads/2021/11/evidence-sheet-comparison.gif>.

It is not clear, in fact doubtful, that the “gray” would have come from Westbrook. Westbrook himself recalled his memory was the jacket was “kind of a **tan, beige, or**

rye color, whatever you want to call it” (Sneed, *No More Silence*, 317), and there is no record Westbrook otherwise called it “gray”. Most likely the person in the crime lab receiving the jacket from Westbrook wrote down its color as it looked indoors perhaps under fluorescent lighting, “gray”.

Color photos of CE 162 today

Myers, *With Malice* (2013; 1st edn 1998), p. 478, published an original color photo of Warren Commission exhibit CE 162. The Warren Commission, although it had that color photo, published it only in black and white. For a long time there was no way anyone could see visually that the Warren Report’s description of CE 162 as “gray” was not correct, since one cannot know that from the Warren Commission’s published black-and-white photographs.

The color of CE 162 in the Warren Commission’s color photo published by Myers is not gray. It shows a warm tan hue in its off-white. The off-white in the color photo published by Myers is light enough that it is possible to see how CE 162 could *mistakenly* have been seen or referred to as “white” (because it is close to white, off-white) or, under artificial lighting indoors, “light gray”, depending on lighting and the observer. But that does not mean it *was* gray or light gray or was seen as that color by most people in natural light outdoors.

A possible factor in the persistence of the inaccurate “light gray” description of CE 162 even in careful researchers’ discussions to the present day may be a post-Warren Commission, post-1964 set of color photos of CE 162 provided by the National Archives and Records Administration (NARA), posted on the Mary Ferrell Foundation (MFF) website (<https://www.maryferrell.org/photos.html?set=NARA-OSWCLOTHES>).

The two photos of CE 162 there have distorted color hues removing the light tan and giving an artificial gray pall to the jacket bringing it in agreement with a captioned description which tells the viewer that the CE 162 jacket is “gray” (“CE 162, a gray zipper jacket, was found near the scene of the Tippit shooting, but was never definitively tied to Oswald”).

That the color is distorted in these two photographs on the MFF site is not arbitrary assertion but can be verified directly: internal to each NARA photo in that collection is a color spectrum strip. Of the 25 photos at the MFF link, counting from left to right, photos #7 and #8, the two photos of CE 162, have color spectrum strips that show loss of warmth in the colors compared to the other photos and their color strips

in that collection. What should be *yellow* in the color spectrum strips at #7 and #8 instead is *orange*. The result is that the NARA color photos of CE 162 at #7 and #8 on the Mary Ferrell Foundation site—the premier go-to site for researchers for online access to JFK assassination research archive materials—have been affected by a hue manipulation which has removed the tan and makes the CE 162 jacket look illusorily gray in agreement with the accompanying description repeating the Warren Report’s insistence that CE 162 is “gray”.

There was nothing wrong with the original NARA photos of CE 162 themselves. The NARA photos have color spectrums next to each object by which one can verify whether the colors have been calibrated properly in each publication of the image. Other online postings of the same NARA photos of CE 162 show yellow not orange where yellow should be, in the color spectrums in those photos, and those show the warmth and light tan hue, not the steel-gray of the images on the MFF site, e.g.: <https://gil-jesus.com/wp-content/uploads/2021/11/CE-162-color-BW.gif>, in agreement with the original color photograph of CE 162 of the Warren Commission published by Myers which shows the light tan in the off-white.

A video inside NARA showing CE 162 being set out on a table can be seen here: <https://www.youtube.com/watch?v=tOdfE-X5ngs>. In the background and in the surface upon which the jacket is set can be seen actual grays. It can be seen that CE 162’s off-white does not match those grays but has a light tan hue against those grays.

FBI Laboratory finds CE 162 composed of “light gray” cotton fibers

An undated FBI document reports information provided by the FBI Laboratory in Washington, D.C. on Dec 5, 1963 to the Dallas FBI office concerning the CE 162 jacket (called K42 in that report) (<https://www.maryferrell.org/showDoc.html?docId=57689#relPageId=161>). The FBI Laboratory reported:

“The K42 gray jacket is a size ‘medium’ light gray cotton jacket having a full length zipper in the front ... The jacket is composed of light gray cotton fibers.”

Based on the color photographs as well as contemporary witness descriptions, the FBI Laboratory seems to have been using an elastic definition of “gray”. According to the FBI Laboratory CE 162 consists of cotton fibers all of which are only a single color, called by the FBI Laboratory “light gray”.

Unexplained is how 100 percent “light gray” cotton fibers can result in a jacket that both is (in color photographs) and was seen as (by witnesses) light tan in its off-white hue. Was the FBI Laboratory’s language influenced by “gray” being the color accompanying the submission of the jacket (CE 162)?

However “light gray” in actual use can encompass various hues and shades (<https://duckduckgo.com/?q=light+gray&t=osx&iar=images&iax=images&ia=images>), for example this titled “light grey wood texture background” (which looks similar to the hue of CE 162), <https://creativemarket.com/TheFreeCreatives/3108331-Light-grey-wood-texture-background>.

The FBI lab’s language is therefore technically defensible in terms of accuracy yet seems tendentious. In the present study the criticisms of calling CE 162 “gray” are meant in the sense of the most natural, neutral color description, not outliers within the range of accepted actual use of “gray”.

The question must be asked, if the hue of CE 162 looked more “light tan” than “gray” in its off-white, what point or reason was there to call it “gray”?

The explanation that comes to mind is that that word choice was influenced by an assumption that CE 162 must be and was a *gray* jacket of Oswald referred to by witnesses who said the gray jacket worn by Oswald was “*gray*”.

Oswald’s gray jacket

There is abundant evidence that Lee Harvey Oswald did have a *gray* jacket that actually *was gray*—apparently a medium gray, neither a light nor dark gray (not an off-white)—in October and November 1963 which he wore to work at the Texas School Book Depository and back and forth to Irving. Oswald’s coworkers at the Texas School Book Depository spoke of seeing Oswald wear a *gray* jacket. Marina said Lee had a *gray* jacket when he was in the Soviet Union that came back with him to the United States. All of the witnesses of Oswald who saw him wearing his gray jacket at work called it “gray”, not “tan” or “white”. Though there is no known color photo of Oswald’s gray jacket, there is *no* indication Oswald’s gray jacket was so light in its gray that it would be called “off-white” or mistaken for white.

The most informative surviving description of Oswald’s gray jacket comes from Buell Wesley Frazier, Oswald’s coworker who drove Oswald back and forth to Irving.

Mr. FRAZIER. He got out of the car [upon arrival to the TSBD the morning of Nov 22, 1963] and he was wearing **the jacket that has the big sleeves in them** and he put the package that he had, you know, that he told me was curtain rods up under his arm, you know, and so he walked ...

(...)

Mr. BALL. I have here Commission's 163, a gray blue jacket. Do you recognize this jacket?

Mr. FRAZIER. **No, sir; I don't.**

Mr. BALL. Did you ever see Lee Oswald wear this jacket?

Mr. FRAZIER. **No, sir;** I don't believe I have.

Comment: this is the blue coat of Oswald, CE 163, which the Warren Report says Oswald wore from Irving the morning of the assassination, Nov 22, 1963. Frazier who drove Oswald that morning says he does not recognize it. But Frazier also will now say, as plain as can be, that he never saw Oswald wear CE 162 *either*. (Notice in the questioning how Mr. Ball calls CE 162 "gray".)

Mr. BALL. **Commission Exhibit No. 162, which can be described for the record as a gray jacket with zipper, have you seen Lee Oswald wear this jacket?**

Mr. FRAZIER. **No, sir; I haven't.**

Mr. BALL. I have here Commission 150, which is described as sort of a rust brown shirt. Have you ever seen Lee Oswald wear this shirt? It has a hole in the sleeve near the elbow.

Mr. FRAZIER – No, sir; I don't believe I have because most time I noticed when Lee had it, I say he put off his shirt and just wear a T-shirt the biggest part of the time so really what shirt he wore that day I really didn't see it or didn't pay enough attention to it whether he did have a shirt on.

Mr. BALL. **On that day you did notice one article of clothing, that is, he had a jacket?**

Mr. FRAZIER. **Yes, sir.**

Mr. BALL. What color was the jacket?

Mr. FRAZIER. **It was a gray, more or less flannel, wool-looking type of jacket that I had seen him wear and that is the type of jacket he had on that morning [Nov 22, 1963].**

Mr. BALL. Did it have a zipper on it?

Mr. FRAZIER. Yes, sir; it was one of the zipper types.

Mr. BALL. **It isn't one of these two zipper jackets we have shown [CE 162, CE 163]?**

Mr. FRAZIER. **No, sir.**

(...)

Mr. BALL. You are not able to tell us then anything or are you able to tell us, describe any of the clothing he had on that day, except this gray jacket?

Mr. FRAZIER. Right.

Mr. BALL. **That is the only thing you can remember?**

Mr. FRAZIER. **Right.**

Mr. BALL. I have here a paper sack which is Commission's Exhibit 364. **That gray jacket you mentioned**, did it have any design in it?

Mr. FRAZIER. No, sir.

Mr. BALL. **Was it light or dark gray?**

Mr. FRAZIER. **It was light gray.**

Mr. BALL. **You mentioned it was woolen.**

Mr. FRAZIER. **Yes, sir.**

Mr. BALL. Long sleeves?

Mr. FRAZIER. Yes, sir.

Mr. BALL. Buttoned sleeves at the wrist, or do you remember?

Mr. FRAZIER. To be frank with you, I didn't notice that much about the jacket, but **I had seen him wear that gray woolen jacket before.**

Mr. BALL. You say it had a zipper on it?

Mr. FRAZIER. Yes, sir.

(...)

Mr. FRAZIER. Some boys hang their jackets up in there in that little domino room where they were going to play dominoes. But here lately, I have been wondering, you know, most of us wear our jackets, what we have on, because if you are going out there on a dock in the cold air we usually keep them on.

The CHAIRMAN. I see.

Mr. BALL. On **Thursday afternoon** when you went home, drove on home, did he carry any package with him?

Mr. FRAZIER. No, sir; he didn't.

Mr. BALL. **Did he have a jacket or coat on him?**

Mr. FRAZIER. **Yes, sir.**

Mr. BALL. **What kind of a jacket or coat did he have?**

Mr. FRAZIER. **That, you know, like I say gray jacket.**

Mr. BALL. **That same gray jacket?**

Mr. FRAZIER. **Yes, sir.** Now, I can be frank with you, **I had seen him wear that jacket several times, because it is cool type like when you keep a jacket on all day,** if you are working on outside or something like that, you wouldn't go outside with just a plain shirt on.

Mr. BALL. I have no further questions.

Note Buell Wesley Frazier said Oswald's gray jacket was "*gray, more or less flannel, wool-looking ... woolen ... gray woolen jacket*".

That is *not* a description of CE 162 *at all!* (As Frazier directly said it was not when he was showed CE 162.) CE 162 was not "woolen" looking (in addition to not being gray). Buell Frazier answered repeatedly that CE 162 was *not* Oswald's gray jacket.

Buell Wesley Frazier's testimony is about as direct and credible as it gets. The Warren Report simply disregarded Buell Frazier's testimony and said CE 162 *was* Oswald's gray jacket, and arbitrarily asserted (against Frazier and without the support of a single witness) that Oswald did *not* wear his gray jacket from Irving the morning of Fri Nov 22.

Identification of a photo of Oswald wearing his gray jacket in Minsk

Oswald's gray jacket may be identifiable in a photo taken of Oswald in Minsk, Belarus, where Oswald lived and worked while in the Soviet Union.

The gray jacket of Oswald described by Buell Frazier was "flannel, wool-looking". Compare that with the jacket worn by Oswald in this photograph of Oswald with some of his coworkers when Oswald lived in Minsk between 1959 and 1962, in this news article: <https://www.bbc.com/news/magazine-24945209>. (Alternative link for the same photo: <https://www.gettyimages.fi/detail/uutiskuva/lee-harvey-oswald-with-friends-in-minsk-russia-circa-1950s-uutiskuva/96807101>.)

The jacket Oswald is wearing in this Minsk photo is in agreement with Frazier's description of Oswald's gray jacket as looking like a "gray, more or less flannel, wool-looking type of jacket" for cool weather but not a heavy coat for cold weather.

That the Minsk photos show Oswald wearing the gray jacket that Oswald possessed in the USSR before returning to the United States—the same gray jacket described by Buell Wesley Frazier—may be confirmed by a detail in that photo, a torn right elbow of that jacket, which corresponds to a witness's description of a torn hole in a right

elbow of a “shirt” Oswald was wearing on a bus *which was actually Oswald’s gray jacket* described by Mary Bledsoe, to be discussed below. Here is another image of the same photo more clearly showing the torn hole in the right elbow of Oswald’s jacket corresponding to what Mary Bledsoe saw:

<https://www.pinterest.com/pin/91127592433836864/>.

Conclusion on the color of CE 162

Based on the Warren Commission’s own unpublished color photo published by Myers, it is difficult to see any objective reason why the FBI and Warren Commission chose to consistently refer to, term, and label CE 162 “gray”, since *it is not gray*. To the present day the CE 162 jacket remains routinely referred to in books and articles as “gray” and “light gray”, even though that is not accurate. As noted, the Warren Commission did not publish its color photos of CE 162 in color, but only in black-and-white. For years, it was the word of the Warren Report that established in discourse that the black-and-white pictures of CE 162 were of a jacket that was “gray”. There was no way from the black-and-white photos for anyone to know differently.

Oswald did have a gray jacket. But CE 162, the Tippit killer’s jacket, was not it. Among other reasons, they were not the same color. Oswald’s gray jacket was gray. The Tippit killer’s jacket, CE 162, was an off-white light tan.

The light-tan CE 162 *was* the Tippit killer’s jacket. But the Tippit killer’s jacket, CE 162, was *not Oswald’s gray jacket*.

Next will be a tracking of Oswald and his jackets through the day of the assassination, Nov 22, 1963, going through the witnesses in sequence that day.

Two competing narratives of Oswald’s jackets and the Tippit killer’s jacket on Nov 22, 1963

The common narrative, the narrative published in the Warren Report in 1964, is a Two Jackets Interpretation. That narrative is not correct and will be contrasted with what will be called a Three Jackets Interpretation, which better accounts for the facts.

THE MISTAKEN TWO-JACKET’S INTERPRETATION (the Warren Commission narrative; the conventional narrative)

... in which there are *two* jackets:

- Oswald's gray jacket = CE 162, Tippit killer's jacket
- Oswald's blue jacket = CE 163, blue coat

This is the INCORRECT, TRADITIONAL two-jackets narrative, a “blue then gray” narrative for Oswald on Nov 22, 1963:

- Oswald wore his blue coat (CE 163) from Irving to the Texas School Book Depository (TSBD), the morning of Nov 22, 1963.
- Oswald left the TSBD following the assassination without his blue coat (C163).
- Oswald went on a bus without a jacket or coat.
- Oswald went in a cab to Oak Cliff without a jacket or coat.
- Oswald entered his rooming house without a jacket or coat.
- Oswald changed his trousers and left the rooming house a few minutes after 1:00 pm newly wearing his gray jacket (CE 162).
- Oswald killed Officer Tippit at Tenth and Patton at about 1:15 pm and abandoned his gray jacket (CE 162) in flight.
- Oswald passed a shoe store not wearing a jacket, and ran into the Texas Theatre into the balcony without paying for a ticket.
- Oswald was arrested on the main floor of the Texas Theatre not wearing a jacket.
- Oswald's blue coat (CE 163) was found later at the Book Depository, in a first-floor lunchroom where Oswald had left it the morning of Nov 22, and turned over to the FBI.

A CORRECTED THREE-JACKETS INTERPRETATION

... in which there are *three* jackets:

- Oswald's gray jacket = a medium gray, light flannel or woolen-like jacket seen in this Minsk photo (<https://www.gettyimages.fi/detail/uutiskuva/lee-harvey-oswald-with-friends-in-minsk-russia-circa-1950s-uutiskuva/96807101>)
- Oswald's blue jacket = CE 163, a lined blue coat
- Tippit killer's jacket = CE 162, an off-white light tan windbreaker-type jacket

This is the corrected three-jackets narrative of Oswald and the Tippit killer, a “gray then blue” narrative for Oswald on Nov 22, 1963:

- Oswald wore his gray jacket from Irving to the Texas School Book Depository (TSBD), the morning of Nov 22, 1963.
- Oswald left the TSBD following the assassination with his gray jacket.
- Oswald went on a bus wearing his gray jacket.
- Oswald went in a cab to Oak Cliff wearing his gray jacket.
- Oswald abandoned his gray jacket after leaving the cab while on foot en route to his rooming house.
- Oswald entered his rooming house without a jacket.
- Oswald changed his clothes, his pants and shirt, and left the rooming house a few minutes after 1:00 pm wearing his blue coat (CE 163).
- Oswald took a bus to the Texas Theatre, bought a ticket as a paying customer, entered the theater wearing his blue coat (CE 163), and went to the main seating area of the theater on the ground floor.
- Oswald took off his blue coat (CE 163) in the warm theater, set it somewhere apart from himself, and changed his seating position several times.
- Oswald was arrested in the theater not wearing a jacket or coat (CE 163).
- Oswald’s blue coat (CE 163) was subsequently found elsewhere in the theater.
- About three weeks after the assassination, Oswald’s blue coat (CE 163) was reported found in the “domino room” on the ground floor of the TSBD, and was turned in to the FBI (it had been relocated to be found there and turned in).

The witnesses

Buell Wesley Frazier

He lived near Ruth Paine’s house in Irving where Oswald’s wife Marina and their two children lived, and Oswald visited on weekends. Frazier drove Oswald to and from Irving when Oswald visited his wife and children, including the night of Thursday Nov 21, then back to Dallas to work Friday morning, Nov 22, 1963, the day of the assassination.

Frazier knew what jacket Oswald wore from having driven Lee many times. Frazier saw Oswald’s gray jacket worn by Oswald in the car with him the morning of Fri Nov 22.

Frazier said two things very clearly.

First, that he had *always* seen Oswald wear *only* his *gray jacket* (never the blue coat) back and forth from Irving and that was the case *no differently the morning of Fri Nov 22*.

And second, when shown CE 162, the Tippit killer's off-white light tan jacket, Frazier said CE 162 was *not*, repeat *not*, Oswald's gray jacket.

Frazier to the FBI. FBI:

“At about 4:45 PM, on November 21, 1963, Frazier and Oswald departed the TSBD Building, walked to Frazier's car and drove to Irving ... As Frazier recalls, **Oswald was wearing** a reddish shirt and **a grey jacket**, waist length.” (FBI interview, 12/1/63)

Frazier to the Secret Service:

“All I recall about Oswald's clothing on the morning of the assassination was **a gray wool jacket**.” (Buell Wesley Frazier affidavit for the Secret Service, 12/5/63)

FBI again:

“The only thing Frazier can recall about Oswald's clothing on November 22, 1963, was that Oswald **was wearing a gray jacket**.” (FBI report, 12/7/63, <https://www.maryferrell.org/showDoc.html?docId=232975#relPageId=1>)

From Buell Wesley Frazier's Warren Commission testimony (<https://www.maryferrell.org/showDoc.html?docId=38#relPageId=246>):

Mr. BALL. I have here **Commission's 163**, a gray blue jacket. Do you recognize this jacket?

Mr. FRAZIER. **No, sir; I don't.**

Mr. BALL. Did you ever see Lee Oswald wear this jacket?

Mr. FRAZIER. **No, sir; I don't believe I have.**

Mr. BALL. **Commission Exhibit No. 162**, which can be described for the record as a gray jacket with zipper, **have you seen Lee Oswald wear this jacket?**

Mr. FRAZIER. **No, sir; I haven't.**

(...)

Mr. BALL. On that day you did notice one article of clothing, that is, he had a jacket?

Mr. FRAZIER. Yes, sir.

Mr. BALL. What color was the jacket?

Mr. FRAZIER. It was a **gray, more or less flannel, wool-looking type** of jacket that I had seen him wear and that is the type of jacket he had on that morning.

Mr. BALL. Did it have a zipper on it?

Mr. FRAZIER. Yes, sir; it was one of the zipper types.

Mr. BALL. **It isn't one of these two zipper jackets we have shown?** Mr. FRAZIER. **No, sir.**

(. . .)

Mr. BALL. (...) That gray jacket you mentioned, did it have any design in it?

Mr. FRAZIER. No, sir.

Mr. BALL. **Was it light or dark gray?**

Mr. FRAZIER. **It was light gray.**

Mr. BALL. **You mentioned it was woolen.**

Mr. FRAZIER. **Yes, sir.**

Mr. BALL. Long sleeves?

Mr. FRAZIER. Yes, sir.

Mr. BALL. Buttoned sleeves at the wrist, or do you remember?

Mr. FRAZIER. To be frank with you, I didn't notice that much about the jacket, but I had seen him wear **that gray woolen jacket** before.

(...)

Mr. BALL. On Thursday afternoon when you went home, drove on home, did he carry any package with him?

Mr. FRAZIER. No, sir; he didn't.

Mr. BALL. Did he have a jacket or coat on him?

Mr. FRAZIER. Yes, sir.

Mr. BALL. **What kind of a jacket or coat did he have?**

Mr. FRAZIER. **That, you know, like I say gray jacket.**

Mr. BALL. That same gray jacket?

Mr. FRAZIER. **Yes, sir.** Now, I can be frank with you, **I had seen him wear that jacket several times**, because it is cool type like when you keep a jacket

on all day, if you are working on outside or something like that, you wouldn't go outside with just a plain shirt on.

Mr. BALL. I have no further questions.

This testimony of Wesley Frazier is strong, credible testimony and flatly contradicts the Warren Commission claim that Oswald wore his blue coat (CE 163) to work that morning, and that CE 162 was Oswald's gray jacket.

Frazier knew Oswald, spent time with him.

Frazier gave an unequivocal, unqualified negative answer that CE 162, the light-tan jacket of the Tippit killer, was Oswald's "gray, more or less flannel, wool-looking type of jacket".

Linnie Mae Randle

Linnie Mae Randle to the FBI:

"On the morning of November 22, 1963, Mrs. Randle stated that she looked out of a window of her residence and observed Oswald walking up her driveway, and to the best of her recollection Oswald was wearing a tan shirt and **grey jacket**" (FBI interview, 12/5/63 [<https://www.maryferrell.org/showDoc.html?docId=57689#relPageId=117>]).

To the Warren Commission:

Mr. BALL. How was Lee dressed that morning?

Mrs. RANDLE. He had on a white T-shirt, I just saw him from the waist up, I didn't pay any attention to his pants or anything, when he was going with the package. I was more interested in that. But he had on a white T-shirt and I remember some sort of brown or tan shirt **and he had a gray jacket, I believe.**

Mr. BALL. A gray jacket. I will show you some clothing here. First, I will show you a gray jacket [CE 163, Oswald's blue coat]. Does this look anything like the jacket he had on?

Comment: Mr. Ball is referring to CE 163, Oswald's blue coat—the one he wants her to say Oswald was wearing—as "gray".

Mrs. RANDLE. Yes, sir.

Mr. BALL. That morning?

Mrs. RANDLE. Similar to that. I didn't pay an awful lot of attention to it.

Mr. BALL. Was it similar in color?

Mrs. RANDLE. Yes, sir; I think so. It had big sleeves.

Mr. BALL. Take a look at these sleeves. Was it similar in color?

Mrs. RANDLE. I believe so.

Mr. BALL. What is the Commission Exhibit on this jacket?

Mrs. RANDLE. **It was gray, I am not sure of the shade.**

Mr. BALL. 163.

(...)

Mr. BALL. **Here is another jacket [CE 162] which is a gray jacket, does this look anything like the jacket he had on?**

Comment: Amazingly, Mr. Ball is actually referring to *both* CE 163 (Oswald's blue coat) and CE 162 (the Tippit killer's off-white light tan jacket) as unqualified "*gray*" in color.

Mrs. RANDLE. **No, sir; I remember its being gray.**

Comment: Mrs. Randle (Linnie Mae) is not simply denying that the gray jacket Oswald was wearing that morning was CE 162. She is saying that CE 162 is not the jacket Oswald was wearing because Oswald's jacket *was gray* (therefore it could not be the off-white CE 162).

Mr. BALL. Well, this one [CE 162] is gray but of these two the jacket I last showed you [CE 162] is Commission Exhibit No. 162, and this blue gray [CE 163] is 163, **now if you had to choose between these two?**

Mrs. RANDLE. I would choose the dark one [CE 163].

Mr. BALL. You would choose the dark one?

Mrs. RANDLE. Yes, sir.

Mr. BALL. Which is 163, as being **more similar** to the jacket he had?

Mrs. RANDLE. Yes, sir; that I remember. But I, you know, didn't pay an awful lot of attention to his jacket. I remember his T-shirt and the shirt more so than I do the jacket.

Mr. BALL. **The witness just stated that 163 which is the gray-blue is similar to the jacket he had on.** 162, the light gray jacket was not.

Mrs. RANDLE. Yes.

Mr. BALL. I have no further questions.

Comment: After Linnie Mae Randle repeatedly told Mr. Ball that Oswald's jacket the morning of Nov 22, 1963 was "gray", and no color other than "gray", Linnie Mae was asked a trick question by Warren Commission counsel Mr. Ball.

If she *was forced to choose* between CE 162 and CE 163 (Linnie Mae was asked)—between the light-tan Tippit killer's CE 162 *or* Oswald's blue CE 163—*which one* would she choose as the gray jacket she saw Oswald wearing that morning? (The true answer being neither.)

Forced to choose by Mr. Ball between two false alternatives, Linnie Mae answered, "I would choose *the dark one* [CE 163] ... but I, you know, didn't pay an awful lot of attention to his jacket".

Linnie Mae's answer indicates that Oswald's gray jacket was not a near-white or off-white like CE 162. Oswald's gray jacket was sufficiently medium-gray in tone that Linnie Mae considered *its gray* less dissimilar to the tone or color of Oswald's blue CE 163 than to the off-white CE 162.

The manipulation of Mrs. Randle

Mr. Ball's questioning was manipulative. Mr. Ball forced an identification choice for Linnie Mae between two alternatives neither of which was the jacket Oswald wore that morning. Forced to choose which was "more similar", Mrs. Randle picked CE 163 of the two false choices Mr. Ball gave her, after she had told Mr. Ball that the jacket she saw Oswald wearing was *gray*.

Mr. Ball misrepresented Mrs. Randle's forced choice so successfully that her testimony has been cited as if it supports the Warren Commission story that Oswald wore his blue coat that morning instead of his gray jacket.

The Warren Commission was opposed to recognition that Oswald wore his gray jacket that morning because that would conflict with the Warren Commission narrative in which Oswald newly put on CE 162 leaving the rooming house at 1 pm that afternoon just before killing Tippit.

An accurate representation of Mrs. Randle's testimony would be that she judged Oswald's actually gray jacket was less dissimilar to the blue CE 163 than the near-white CE 162, because Oswald's actually gray jacket was a medium gray, not a near-white like CE 162. Linnie Mae Randle:

“he had a **gray jacket**, I believe.”

“**It was gray**, I am not sure of the shade.

“**No, sir** [it was *not* CE 162]; **I remember its being gray.**”

Marina Oswald

On Feb 6, 1964, at the end of her final day of several days of testimony to the Warren Commission, in the final minutes at the end of hours of grueling testimony that day, the Warren Commission obtained from Marina Oswald an identification of CE 162 as an item of clothing that had belonged to her husband (which if true would make Oswald the killer of Tippit). There are two distinct issues: what did Marina claim, and was Marina correct in what she claimed.

On the first question, what did Marina claim, Marina actually made two identification claims with respect to CE 162. The first:

Mr. RANKIN. **162?**

Mrs. OSWALD. **That is Lee’s—an old shirt.**

Mr. RANKIN. **Sort of a jacket?**

Mrs. OSWALD. **Yes.**

The second:

Mrs. OSWALD. **It seems he had that jacket [CE 162], also [on the night of Thursday, Nov 21, 1963, in Irving].**

Mr. RANKIN. **Exhibit 162?**

Mrs. OSWALD. **Yes.**

The Warren Commission rejects one of Marina’s identifications of CE 162

The Warren Commission narrative was that CE 162 was retrieved by Oswald Friday afternoon Nov 22 at Lee’s rooming house in Oak Cliff. The Warren Commission therefore rejected Marina’s claim of seeing CE 162 with Lee on Thursday night Nov 21 in Irving, dismissed that as mistaken. The Warren Commission held that Marina was credible only on the first claim, not on the second.

The interpretation developed here is that Marina erred in both identifications of CE 162, not just one of the two, because Marina was mistaken in thinking CE 162 was

Lee's gray jacket which Lee wore to Irving Thursday night and Friday morning, Nov 21-22, 1963.

Obtaining critical testimony from a witness when she is tired

During the two and a half months between the assassination and Marina's testimony to the Warren Commission, the FBI never showed CE 162 to Marina. Marina's Warren Commission testimony was the first and only time Marina saw CE 162. Let it be considered how that was done.

At midday during the final of four days of Marina giving testimony under oath, at about 12:30 pm on Feb 6, 1964, Commission Chair Earl Warren wrapping up the morning session spoke considerate words to Marina:

... Mr. RANKIN. Do you recall what he said about what he didn't like about the United States?

Mrs. OSWALD. The problem of unemployment.

Mr. RANKIN. Anything else?

Mrs. OSWALD. I already said what he didn't like that it was hard to get an education, that medical care is very expensive. About his political dissatisfaction, he didn't speak to me.

Mr. RANKIN. Did he ever say anything against the leaders of the government here?

Mrs. OSWALD. No.

Mr. RANKIN. Mr. Chairman, that is all we have now except the physical exhibits, and I think we could do that at 2 o'clock.

The CHAIRMAN. Mrs. Oswald, we are going to recess now until 2 o'clock.

You must be quite tired by now. And this afternoon we are going to introduce some of the physical objects that are essential to make up our record. When we finish with those, I think your testimony will be completed. And I think we should finish today. You won't be unhappy about that, will you?

Mrs. OSWALD. No. Thank you.

Comment: There is almost a subtext here which might be paraphrased: "As a last thing, Mrs. Oswald, please help us, if you would, with what we [Warren Commission] need established, some items of Lee's clothing. It's mostly a formality really, but we need confirmations from you on some things for our records, and then all of this will be over and you can go home."

“You must be quite tired by now ... you won’t be unhappy about that, will you?” Marina is asked solicitously—perhaps in acknowledgement that Marina, single mother of two small children one of whom she was nursing in breaks between sessions of her testimony, may have shown visible signs of tiredness.

In that final afternoon session, items of clothing from Oswald’s person and belongings, or which Marina had already previously identified as Lee’s—*with one exception*—were laid out on a desk surface area of some kind (there is no known photograph of the display). The items were not formally told to Marina to have been from Lee’s belongings and person, but Marina on her own would recognize that.

Among the otherwise entirely genuine clothing items of Lee arranged on display the Warren Commission had unobtrusively set among them (one is tempted to use the word “planted”) CE 162. Marina was then asked to confirm all of the clothing items were Lee’s, one after another, for the record, with CE 162 slipped in among them.

Marina—not known for being the most accurate or careful of witnesses under the best of circumstances—was cooperating, identifying those items one after another, “yes... yes... yes...”, then asked for identification of CE 162, which (unknown to Marina) was *not* from Lee’s belongings among the other items which *were*.

It was like having someone fatigued sign many papers at one time, with some landmine document or fine print slipped in, signed unthinkingly by the person as one more among the others.

Mr. RANKIN. Mrs. Oswald, would you step over with the interpreter to this desk and point out the different pieces of clothing as we ask you about it, please? Do you know the shirt that Lee Oswald wore the morning that he left?
Mrs. OSWALD. I don’t remember. What else interests you? What do you want?

Comment: The picture is Marina is standing with her interpreter near some large flat desk surface looking at items but there is no indication that she touches or handles the items. The items are not brought individually one by one close to Marina to examine individually. It is unclear whether CE 162 was lifted up for Marina to see better when that item was asked of Marina; nothing indicates it was. Now comes the runup (the exhibit numbers can be compared to this inventory list: <https://www.maryferrell.org/showDoc.html?docId=62240#relPageId=56>).

Mr. RANKIN. Can you tell us whether any of this clothing set out on this desk belonged to Lee Oswald?

Mrs. OSWALD. These are Lee's shoes.

Mr. RANKIN. When you say the shoes, you pointed to Exhibit 149?

Mrs. OSWALD. Yes.

Mr. RANKIN. This is a pair of shoes of which Exhibit 149 is a photograph.

Mrs. OSWALD. These are his bath slippers.

Mr. RANKIN. Exhibit 148 are his bath slippers?

Mrs. OSWALD. Japanese bath slippers. These shoes I have never seen.

Mr. RANKIN. That is Exhibit 147, you say those are shoes you have never seen? How about Exhibit 146?

Comment: As a side note, CE 147, a “pair of black oxford shoes with crepe soles, ‘John Hardy’ brand”, are the shoes Johnny Brewer said he remembered selling to Oswald at his store at an unspecified earlier date before the Texas Theatre arrest of Nov 22, 1963 (“it was probably only a matter of weeks [before Nov 22]—but again it could have been months. I’m not sure. I don’t know”). In 1997 a photograph of CE 147 was shown to Brewer who identified them as the shoes he had sold Oswald: “a two-eyelet, crepe-soled shoe, model 8110, size eight and a half ... black ... for five dollars and seventy cents”

(<https://www.maryferrell.org/showDoc.html?docId=16235#relPageId=8>). Those shoes were found among Oswald's belongings in Ruth Paine's garage.

Mrs. OSWALD. These are his, yes. These are all Lee's shirts.

Mr. RANKIN. Exhibits 150, 151—

Mrs. OSWALD. These are his pajamas.

Mr. RANKIN. Exhibits 150, and 151 are Lee Oswald's shirts, is that right?

Mrs. OSWALD. Yes.

Mr. RANKIN. And Exhibit 152 is a pair of his pajamas?

Mrs. OSWALD. Yes.

Mr. RANKIN. And Exhibit 153—you recognize that?

Mr. OSWALD. That is his shirt.

Mr. RANKIN. And Exhibit 154? Is that one of his shirts?

Mrs. OSWALD. Yes.

Mr. RANKIN. Exhibit 155?

Mrs. OSWALD. Yes, also. Why is it all torn?

Mr. RANKIN. We are advised it was when he was hurt, they cut into some of these. Do you recall whether or not he was wearing Exhibit—the shirt that I point to now, the morning of the 22d of November—Exhibit 150?

Mrs. OSWALD. Yes, it was a dark shirt.

Mr. RANKIN. You think that was the one?

Mrs. OSWALD. Yes.

Mr. RANKIN. I call your attention to Exhibit 156. Is that a pair of his pants?

Mrs. OSWALD. These are his work pants.

Mr. RANKIN. And 157?

Mrs. OSWALD. Also work pants. These are all work pants.

Mr. RANKIN. 158?

Mrs. OSWALD. Why were both of those cut? I don't understand.

Mr. RANKIN. I have not been informed, but I will try to find out for you.

Mrs. OSWALD. It is not necessary.

Mr. RANKIN. Do you recall which of the pants he was wearing on the morning of November 22, 1963?

Mrs. OSWALD. I think the gray ones, but I am not sure, because it was dark in the room, and I paid no attention to what pants he put on.

Mr. RANKIN. By the gray ones, you are referring to what I point to as Exhibit 157, is that right?

Mrs. OSWALD. Yes.

Mr. RANKIN. Can you tell us about Exhibit 159, a sweater?

Mrs. OSWALD. That was my gift to Lee, a sweater.

Mr. RANKIN. 160?

Mrs. OSWALD. That is Lee's shirt.

Mr. RANKIN. 161?

Mrs. OSWALD. This is a pullover sweater. This is his pullover sweater.

Mr. RANKIN. **162?**

Mrs. OSWALD. **That is Lee's—an old shirt.**

Mr. RANKIN. **Sort of a jacket?**

Mrs. OSWALD. **Yes.**

Ding-ding-ding-ding! They got an identification for CE 162 from Marina! One can almost see the lawyers' behind-the-scenes high-fives.

In this way came about Marina Oswald's identification of CE 162. Marina had no idea CE 162 was from the Tippit crime scene.

Mr. RANKIN. 163?

Mrs. OSWALD. Also.

Mr. RANKIN. Do you recall which one of the sweaters or jackets he was wearing on the morning of November 22, 1963?

Mrs. OSWALD. I don't remember.

Mr. RANKIN. When was the last time that you saw this jacket, Exhibit 163 [Oswald's blue coat]?

Mrs. OSWALD. I don't remember.

Mr. RANKIN. Do you remember seeing it on the morning of November 22, 1963?

Mrs. OSWALD. The thing is that I saw Lee in the room, and I didn't see him getting dressed in the room. That is why it is difficult for me to say. But I told him to put on something warm on the way to work.

Mr. RANKIN. Do you recall whether the jacket, Exhibit 163, is something that he put on in your presence at any time that day?

Mrs. OSWALD. Not in my presence.

Mr. RANKIN. **And you didn't observe it on him at any time, then?**

Mrs. OSWALD. **No.**

Here Marina fails to support the Warren Commission's narrative that Oswald wore his blue coat or jacket, CE 163, to work the morning of Nov 22, 1963. As Buell Frazier and Linnie Mae Randle testified, the jacket Lee wore to Irving on Thursday night and back to Dallas Friday morning was his *gray* jacket.

(...) Mr. RANKIN. Do you recall any of these clothes that your husband was wearing when he came home Thursday night, November 21, 1963?

Mrs. OSWALD. **On Thursday I think he wore this shirt.**

Mr. RANKIN. **Is that Exhibit 150? [brown arrest shirt of Oswald]**

Mrs. OSWALD. **Yes.**

Mr. RANKIN. Do you remember anything else he was wearing at that time?

Mrs. OSWALD. **It seems he had that jacket, also.**

Mr. RANKIN. **Exhibit 162?**

Mrs. OSWALD. **Yes.**

Mr. RANKIN. And the pants, Exhibit 157? [gray work pants]

Mrs. OSWALD. Yes. But I am not sure. This is as much as I can remember.

Mr. RANKIN. Thank you.

In this testimony Marina erred in saying Lee wore CE 150—the brown arrest shirt—to Irving Thursday night Nov 21. It is a fact of the case (differing from the Warren Commission here) that Oswald wore a different, maroon-colored, long-sleeved button-down shirt, CE 151, to work to the Book Depository Friday morning Nov 22—and according to Buell Frazier to Irving on Thursday—before changing into CE 150 (the brown arrest shirt) at his rooming house at about 1 pm Friday (see Pat Speer, “Threads of Evidence” for the convincing argument on that: <https://www.patspeer.com/chapter-4b-threads-of-evidence>).

Just as Marina was mistaken concerning the CE 150 shirt identification, so Marina was mistaken on the CE 162 jacket identification the same Thursday night. In both cases the items confused have some similarities accounting for the mistake.

In the case of CE 151 (a maroon, button-down-collar dress shirt) mistakenly identified by Marina as CE 150 (brown, non-button-down-collar shirt), the maroon or reddish color of CE 151—from contemporary descriptions and a first-ever color photo of that shirt obtained by Pat Speer—was also at times *called* “brown” by the Dallas Police, the Warren Commission, and some contemporary witnesses.

In the case of CE 162, the confusion with Oswald’s gray jacket—the “gray, more or less flannel, wool-looking jacket that I had seen him wear” of Buell Wesley Frazier’s description, which Frazier said was *not* CE 162—the similarity was in what Marina may have seen as a similar gray tone of CE 162 depending on lighting conditions, zippered and waist length, similar in those ways to the gray jacket Lee actually had and had worn Thursday night Nov 21. As developed below, factors of lighting and how the item was displayed could have played a role in causing Marina’s identification of CE 162 as Lee’s gray jacket.

Although the identification itself was mistaken (Buell Frazier being correct that CE 162 was not Oswald’s gray jacket), the mistake would have its explanation in the similarities just cited, with Marina making the identification from a short distance visually without physical contact with the item or deliberation or careful examination, not helped by 2-1/2 months distance in time before she was first asked.

That Marina thought Oswald wore CE 162 on Thursday night Nov 21 means Marina was identifying CE 162—rightly or wrongly—with Oswald’s *gray jacket*, since that is what Oswald *did* wear Thursday night and Friday morning Nov 21-22.

The differences between Oswald’s gray jacket and CE 162 described by Buell Frazier mean CE 162 was *not actually* Lee’s gray jacket (as Buell Frazier directly said it was not). But the claim of Marina of seeing CE 162 with Lee Thursday night, while mistaken, identifies the nature of the error: Marina *thought* CE 162—as she saw it in color and tone in the way the Warren Commission had it displayed—was Lee’s gray jacket.

FBI failure to find an association to Oswald in a dry cleaning tag in CE 162

A dry cleaning tag was found stapled inside CE 162 at the time of its find in Oak Cliff on Fri Nov 22. At the request of the Warren Commission the FBI sought to find the

dry cleaning establishment of that tag at which Oswald might have had CE 162 dry cleaned. As told in FBI documents on the Mary Ferrell Foundation site, the FBI comprehensively checked hundreds of dry cleaning establishments first in the Dallas-Fort Worth area, then in the greater New Orleans area, an enormous expenditure of energy, all with negative results, finding nothing (<https://www.maryferrell.org/showDoc.html?docId=11264#relPageId=3>; Myers, *With Malice*, 340).

In the midst of that investigation Marina was reinterviewed by the FBI on April 1, 1964 by agent Wallace Heitman. Heitman's report:

“Marina was questioned further concerning clothing jackets which had been owned by Lee Harvey Oswald. She said to the best of her recollection Lee Harvey Oswald **had only two jackets, one a heavy jacket, blue in color, and another light [lightweight] jacket, gray in color. She said she believes Oswald possessed both of these jackets in Russia and had purchased them in the United States prior to his departure for Russia.** She said she cannot recall that Oswald ever sent either of these jackets to any laundry or cleaners anywhere. She said she can recall washing them herself. She advised to her knowledge Oswald possessed both of these jackets at Dallas on November 22, 1963.”

(<https://www.maryferrell.org/showDoc.html?docId=95957#relPageId=228>)

On April 21, 1964, under letterhead of the Dallas FBI office addressed to the Warren Commission in Washington, D.C., the Warren Commission was informed of the April 1 Marina interview

(<https://www.maryferrell.org/showDoc.html?docId=11264#relPageId=7>).

On April 6, 1964, an FBI Dallas teletype to the Director, FBI, Washington, D.C., stated that Marina had identified CE 162 as the gray jacket of Oswald.

“Only information developed by Dallas to date to indicate laundry mark appearing in gray jacket [CE 162] is foreign in origin is that Marina Oswald has stated subject had this jacket before going to Russia and while in Russia. She has no knowledge that Oswald ever had jacket laundered or dry cleaned.”

(<https://www.maryferrell.org/showDoc.html?docId=58952#relPageId=40>)

The Heitman FBI interview of Marina of April 1 was not a second showing of CE 162 to Marina. In that interview Marina described a gray jacket Lee had in the Soviet Union—that would be the one in the photograph of Lee with his coworkers in Minsk,

and in the United States the gray jacket which Buell Frazier and other coworkers at the Texas School Book Depository saw Oswald wear including Friday morning Nov 22—the one Buell Frazier said was “a gray, more or less flannel, wool-looking jacket that I had seen him wear” that was not CE 162.

Lee’s gray jacket was *not* CE 162, but Marina on the basis of her sighting of CE 162 before the Warren Commission *thought* it was. And Marina never saw CE 162 any time other than that one time before the Warren Commission on Feb 6, 1964.

What color was CE 162 to Marina?

We have seen that CE 162 was off-white light tan in color and that hardly any witnesses who saw CE 162 even claimed it was gray. Marina never was asked nor gave a color description of CE 162 in her Warren Commission testimony. However, Marina’s identification of CE 162 as worn by Lee on Thursday night Nov 21, her identification of CE 162 as Lee’s gray jacket, gives strong cause to suppose Marina in her brief look at CE 162 during her testimony *did see it as gray* (the reasoning: she must have seen it as gray to have mistakenly identified it with Lee’s gray jacket). That could happen depending on the lighting conditions indoors, where Marina’s testimony occurred.

All it would take for the light tan of CE 162 to look illusorily gray in its off-white to Marina would be fluorescent lighting. An interior designer comments:

“[T]raditional fluorescent lighting gives off a cool, bright, blue-tinged light. This is a light that enhances cool colours such as blue and green and can dull warmer colours like yellow, orange and red. And I’m all for enhancing blues and greens, but creating an ‘icy cold clinical’ look isn’t usually what my clients are going for ... Flourescent lighting can be an unfriendly, cold light as it casts a cool bluish light...” (<https://www.kylieminteriors.ca/how-flourescent-light-affects-paint-colour/>)

From another interior decorating source:

“In warmer light—during sunrise and sunset—**warm gray** colors will appear **taupe or brown**. In the cooler light of dawn, midday or dusk, **or in cool artificial light, the color turns a purer gray**. That’s why I advise homeowners who are testing out paint colors to view the hues during various times of the day, in the changing light, before making the final selection.

(<https://www.houzz.com/magazine/color-of-the-week-decorating-with-warm-gray-stsetivw-vs~44305132>)

In fact fluorescent lighting could account for most if not all of the mistaken witness reportings of “gray” as the color of CE 162 that did happen. If witness Callaway was correct that he told officer Summers the jacket of the Tippit killer was “tannish gray” and Summers shortened that on his police radio broadcast on Fri Nov 22 to “gray”, and if Guinyard’s testimony was influenced by his indoor viewing of CE 162, then there arguably could be no instance of a witness’s unqualified “gray” of CE 162 that originated in natural light, as distinguished from indoors under artificial light. Marina never saw CE 162 other than indoors before the Warren Commission, and Marina’s confusion of CE 162 with Lee’s *gray* jacket suggests Marina *saw* CE 162 *as gray* under artificial light.

Yet this still goes only part way toward solving the problem of how Marina could have confused CE 162 with Oswald’s gray jacket, because the *tone* of gray would still be markedly different (CE 162 being lighter in tone, almost white, compared to Oswald’s gray jacket which was probably a solid medium gray, not off-white at all). How could one of those tones have been reasonably mistaken by Marina for the other?

A darker shade of gray

If CE 162 *as Marina saw CE 162* was in a low light setting, dim or semi-dark, under a shadow or some other variant form of low lighting, however it worked, the near-white hue of its light tan, now illusorily looking cold gray due to fluorescent lighting, could also illusorily appear a darker shade of gray if in a low light situation.

And Marina appears to have identified CE 162 visually across a short distance of space to where CE 162 was set on its surface, without Marina physically touching or holding or lifting it from the surface where it was displayed, holding it up for closer inspection, etc., according to any known information.

(Again there is no photograph of how the Commission’s exhibit items of Oswald’s clothing plus CE 162 were laid out, but I just imagine that whatever “desk” surface that was, CE 162 would have been positioned on the other side from Marina just far enough out of Marina’s reach that she could not easily grab it or pick it up to bring closer to her eyes, feel it in her hands, look over the thing. If Marina had asked to see CE 162 more closely her request surely would have been accommodated, but the transcript shows Marina made no such request, and there is no reason to suppose

anything like that happened. Which may have been the whole idea and what was intended, in whoever designed the display of the items of Lee's clothing with CE 162 among them.)

The fact is Marina saw CE 162 and thought it was a clothing item of Lee prior to any recognition of it (because it was with all the other clothing items of Lee), and identified it as Lee's *gray jacket* which was of a significantly darker tone than CE 162. That difference in tone calls for explanation—how could Marina have mistaken CE 162 as Oswald's gray jacket? The suggested answer to this question is it is possible through a combination of fluorescent lighting which could make CE 162 look gray, and a low light condition on CE 162 itself, however that worked, which would darken its apparent tone to the observer, combined with lack of physical touch or contact with the item—these could function to lessen the difference in color perception between CE 162 as seen by Marina and what Marina remembered of Lee's gray jacket. (And Marina could see CE 162 was zippered and waist-length just like Lee's gray jacket...)

And remember, there never was a chance for Marina to see CE 162 again for a second look or under different lighting (such as outdoors or under better light), for reconsideration. Marina never saw CE 162 before her final day before the Warren Commission, when the Warren Commission showed it to her in her final minutes of four days' testimony, got her identification, asked no followup questions, ended her testimony and sent her home.

When the FBI interviewed Marina further there was no new opportunity for Marina to view CE 162 (there is certainly no report of any further showing, and from the FBI's point of view there is no reason why there would be, since that was not the question at issue with Marina requested by the Warren Commission in that interview). Instead, it was Marina telling the FBI of Lee's gray jacket all from her memory of the actual gray jacket of Lee's.

The delay in asking Marina about CE 162

A possible signal of something amiss with the Feb 6, 1964 identification of CE 162 obtained from Marina is the absence of any record that Marina was asked about CE 162 before then, even though the FBI interviewed Marina many times including questioning her concerning Lee's blue jacket, CE 163.

An early identification from Marina that CE 162 was Lee's would have been significant and newsworthy. Yet that never was sought from Marina by the FBI, why?

If it was a slam dunk that CE 162 was Lee's gray jacket known to Marina, why the failure to obtain a statement from Marina to that effect earlier? Sometimes the way to reduce the risk of unwanted things on the record is to not ask witnesses certain questions. On strategic absences of FBI interviews of witnesses on certain topics see Pat Speer's "Threads of Evidence", <https://www.patspeer.com/chapter-4b-threads-of-evidence>.

It does not inspire confidence that Marina was shown and asked about CE 162 for a first and only time as late as her Warren Commission testimony.

Comment on manipulative process in obtaining Marina's identification of CE 162

The process was manipulative in the way Marina was led to assume CE 162 was an item of Lee's clothing prior to the question of whether she recognized it. Marina would have mistakenly assumed *a priori* CE 162 must be something of Oswald's (because every other item around it was), and that could contribute to a mistaken identification.

It was manipulative in the way identification of CE 162 was considered routine and given no special attention among the other items of undisputed Lee's clothing, without further questioning of Marina concerning details.

It was manipulative in the circumstances of Marina's viewing of CE 162, in which there is no indication Marina had CE 162 in her hands or that it was lifted up for Marina to see more closely or fully.

It was manipulative in the scheduling of Marina's identification in the final part of the closing afternoon session of her testimony. Was there a fear that if Marina had opportunity during a break following a session to reconsider, she might upon return to the next session ask to have her testimony corrected (say, from certainty to uncertainty), and to preempt that risk, the question intentionally was not asked until toward the end of her final session?

It was manipulative in that the time chosen to ask her, toward the close of the two-hours-plus final session, would be when it could be anticipated Marina would be at her maximum fatigue.

The Warren Commission's obtaining of Marina's identification of CE 162 as an item of clothing of Lee's almost has the appearance of an attempt to trick Marina into that identification.

Awareness on the part of Warren Commission counsels that the CE 162 identification obtained from Marina was shaky might also be suggested in the lack of followup questions addressed to Marina related to that critically important identification, other than Rankin making clear that CE 162 was a “jacket” before moving on to other matters. Marina was not asked “are you *sure* this was Lee’s?”, “When do you remember last seeing Lee wear that?” and so on. Questions designed to bring out Marina’s answer a second or third time to ensure Marina’s answer had not been premature without full awareness or confidence.

Of course, if the objective was to get a hoped-for identification on the record for the purpose of incriminating Oswald in agreement with the theory of the case of the Commission, as distinct from disinterestedly wanting the truth of Marina’s story, further questioning of Marina concerning CE 162 might not be deemed advantageous.

Instead of followups on CE 162 the questioning moved smoothly to other things, as if CE 162 had been just one more routine identification among the others. There were a few *pro forma* questions on other things, then Marina’s testimony came to an end for good as far as the Warren Commission was concerned, in the minutes following Marina’s CE 162 identification.

Was there a fear that Marina’s identification of CE 162 might falter or retreat to becoming equivocal if she were asked to repeat it a second or third time? In any case there was no followup concerning CE 162. Marina’s four days were over and Marina was thanked for her testimony.

The CHAIRMAN. Well, Mrs. Oswald, you have been a very cooperative witness. You have helped the Commission. We are grateful to you for doing this. We realize that this has been a hard ordeal for you to go through.

Mrs. OSWALD. It was difficult to speak all the truth.

Conclusion regarding Marina and CE 162

Marina’s identification of CE 162 as an item of Lee’s clothing can be understood as Marina responding to suggestion combined with circumstances conducive to error, which should weaken confidence in its correctness to a reasonable observer.

But it is not as if Marina’s testimony stands on its own for better or worse. In this case there is additional information, information that contradicts Marina’s testimony. For Buell Wesley Frazier rejected CE 162 as being Oswald’s gray jacket and gave a

different physical description of Lee's gray jacket. Considerable weight must be given to Buell Frazier's testimony due to the credibility of Frazier as a witness.

Here a choice is forced: to accept Buell Frazier's clear and unproblematic testimony at this point, or the Warren Commission's acceptance of Marina's problematic identification of CE 162, the opposite of Frazier's, even as the Warren Commission simultaneously arbitrarily dismissed Marina's claim of the only time she said she saw Oswald wear CE 162, Thursday night in Irving, Nov 21 (when Oswald *actually* wore his gray jacket as an independently established fact of the case).

It is fair to say without dispute that virtually all investigators—Warren Commission staff investigators and independent researchers alike—have judged Buell Frazier a more credible and trustworthy witness than Marina as a general statement—and Frazier testified unequivocally that CE 162 was *not* Oswald's gray jacket.

Therefore the conclusion is CE 162 was not Oswald's gray jacket, despite Marina answering that it was in her testimony to the Warren Commission. That identification came about under circumstances including suggestion, possible lighting and display manipulation, and conceivably unknown pre-interviewing of Marina before Marina's on-the-record testimony, increasing odds that Marina might make that desired identification whether or not it was actually correct. The objective appears to have been to get that identification from Marina more than it was to cross-check Marina's testimony to assess whether it was actually correct.

The conclusion is the identification Marina gave for CE 162 as an item of Lee's clothing and worn on Thursday Nov 21 was mistaken, to be explained as human error on Marina's part. Buell Wesley Frazier was correct that CE 162 was not Oswald's gray jacket. With CE 162 not being Oswald's gray jacket, there is no reason to identify CE 162 as a jacket of Oswald's at all.

Ruth Paine

In all of Ruth Paine's extensive testimony, nowhere is Ruth asked whether she recognized CE 162 or CE 163.

That Ruth Paine might *actually* never have been asked concerning identification of Oswald's blue coat, CE 163, believed by the Warren Commission to have been worn by Lee to work at the Texas School Book Depository on Friday morning Nov 22, or the Tippit killer's jacket, CE 162, is difficult to believe. Ruth was asked voluminous

questions on everything else. Her testimony is characterized by accuracy and recall for detail. Why would she not be asked about those two items of clothing?

Lee certainly wore his gray jacket to Ruth's place and likely more than once, based on the testimony of Buell Wesley Frazier who said he had seen Oswald wear his gray jacket several times including to Irving the evening and morning of Nov 21-22.

If CE 162 *were* a jacket of Lee's, an identification from Ruth Paine would carry credibility and there would be no reason on earth not to have that on the record. But Ruth *was not asked*. It is difficult to imagine a better explanation for that than that Ruth had been asked in some preinterview form and Ruth's answer was not deemed helpful. (Imagine, for example, if Ruth had been asked and had answered the same as Buell Wesley Frazier testified, that she had seen Lee with a gray jacket but CE 162 was not it and she had never seen CE 162 before.)

Here is the only instance I could find of Ruth Paine asked concerning Lee's clothing in Ruth Paine's testimony:

Mr. JENNER. Would you describe Lee's attire when you first saw him on the lawn when you returned that evening [Thu Nov 21, 1963]?

Mrs. PAINE. I don't recall it.

Both the question and the "I don't recall it" answer, in a strict reading, apply only to the moment Ruth Paine first saw Oswald that evening. Mr. Jenner does not ask Ruth if she remembered anything of Lee's attire at some other time during his visit, such as inside the house that evening or whether she had seen Lee wear a gray jacket on any occasion and if so was the off-white light tan CE 162 it. The question Jenner asked Ruth Paine has the appearance of a lawyer asking a question very narrowly and then moving away from it quickly.

The absence of inquiry to Ruth Paine concerning recognition of CE 162 in her testimony to the Warren Commission is further grounds for skepticism of Marina's identification of CE 162 as a jacket of Lee's.

At the Texas School Book Depository

The Warren Commission's position was that Oswald wore his blue coat (CE 163) to work the morning of Nov 22. There is not a single witness that supports that with the exception of Whaley the cab driver and his testimony concerning Oswald's CE 163 blue jacket is plainly not credible. There is no testimony from any of Oswald's

coworkers at the Texas School Book Depository that Oswald was seen wearing a blue jacket that morning or any other morning.

What Oswald's coworkers at the Texas School Book Depository did say was they saw Oswald *routinely wear his gray jacket to work*, in agreement with Buell Wesley Frazier who testified Oswald wore his gray jacket to work the morning of Nov 22, 1963, the day of the assassination.

Charles Givens: "He [Oswald] never changed clothes the whole time he worked there, and **he would wear a grey looking jacket.**" (6H349)

Bonnie Ray Williams: "to the best of his recollection, Lee Harvey Oswald was wearing a grey corduroy pair of pants and a **greyish looking sport shirt with long sleeves** on November 22, 1963." (FBI interview, Dec 5, 1963, <https://www.maryferrell.org/showDoc.html?docId=10408#relPageId=317>)

Most analysts have probably correctly interpreted Bonnie Ray Williams' statement as referring to Oswald's gray jacket (even though he said "shirt"). There were only two *shirts* worn by Oswald on Nov 22 and both are known and were maroon-reddish (CE 151) and brown (CE 150), respectively, neither gray. The confusion between "shirt" and "jacket" comes up in Whaley's testimony as well (and Oswald shirt/jacket confusions also occur in the reportings of Dallas police officer Marrion Baker and Dallas FBI agent Robert Barrett).

At one point in the transcript of the testimony of Book Depository worker Charles Givens to the Warren Commission, Givens is represented as saying Oswald wore a "greenish" looking pants and shirt "all the time" he worked there. No other witness ever had Oswald in green clothes, and the "greenish" is clearly a typo for "greyish".

Mr. BELIN. Do you remember what he was wearing?

Mr. GIVENS. Well, I believe it was **kind of a greenish [*sic* → {greyish}] looking shirt and pants was about the same color as his shirt, practically the same thing he wore all the time** he worked there. He never changed clothes the whole time he worked there, and **he would wear a grey looking jacket.**

Mr. BELIN. All right. You saw him at 8:30 on the first floor?

Mr. GIVENS. Yes, sir.

A handwritten “greyish” in cursive can be misread as “greenish”. The “y” in a rapidly handwritten “greyish” can be mistakenly seen as “en”, “greenish”.

Whatever was the mechanism of the error, it is certain Givens said “grayish” and not “greenish”, in keeping with what Givens said was “practically the same thing” that Oswald “wore all the time”, shirt and pants “about the same color”, since Oswald’s pants are known to be gray. Givens seems to be saying, just like the report of Bonnie Ray Williams, that Oswald’s “shirt” (either his gray jacket on Nov 22, or a gray shirt on other days, but not his shirt on Nov 22) was “grayish looking” matching his gray pants, the same as Oswald “wore all the time he worked there”.

Officer Marrion Baker and the second-floor lunchroom encounter

After the shots were fired and the shock of the news that Kennedy had been hit rapidly spread, Oswald went into what can only be described as evasive flight mode, which marks all of his movements from the Texas School Book Depository to his rooming house in Oak Cliff, where he changed clothes, picked up a pistol and went to the Texas Theatre, where he was arrested.

There has been much discussion and debate concerning Oswald’s movements inside the Book Depository at the time of and following the shots fired at President Kennedy. Without engaging those debates and arguments I set out a reconstruction I have worked out.

Less than two minutes after the shots Oswald was encountered in the second-floor lunchroom by officer Marrion Baker and Book Depository supervisor Roy Truly. Officer Baker, following Truly up the northwest stairway, saw Oswald move in retreat behind a glass window of a door opening to the northwest stairwell on the second floor. Finding that suspicious, Baker went through that door and confronted Oswald at gunpoint in the lunchroom. Truly then came in and told Baker that Oswald worked in the building and was OK, whereupon Baker and Truly left and resumed their movement to the top of the building.

A key question is in which direction Oswald was moving with respect to the door when Baker saw him: had he just *gone through* that door *into* the second floor area *from* the stairs? Or was he just about to come *out* to the stairwell and reversed direction *before* exiting through the door? The former was the Warren Commission position (in which Oswald descended by the northwest stairwell from the sixth floor after firing the shots and went through the door into the second floor area).

However William Kelly, building on an earlier analysis of Howard Roffman, has convincingly argued that Oswald cannot have gone through the door *from the stairway* (<https://jfkcountercoup.blogspot.com/2013/07/the-doors-of-perception-why-oswald-is.html>).

Seeing the officer through the glass window in the door, Oswald did not open the door but retreated again, and that motion through the glass is what caught Baker's eye as suspicious.

Mr. BELIN. What happened?

Mr. BAKER. As I came out to the second floor there, Mr. Truly was ahead of me, and as I come out I was kind of scanning, you know, the rooms, **and I caught a glimpse of this man walking away from this—I happened to see him through this window in this door.** I don't know how come I saw him, but I had a glimpse of him coming down there.

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

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

Mr. BELIN. What did you do then?

Mr. BAKER. I ran on over there

Representative BOGGS. You mean where he was?

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

Mr. BELIN. What did you do?

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

Quoting Roffman, *Presumed Guilty* (1976):

"It should be noted that the [Warren] Report never mentions Baker's position at the time he saw Oswald in the vestibule. Instead, it prints a floor plan of the second floor and notes Baker's position 'when he observed Oswald in lunchroom.' This location, as indicated in the Report, was immediately outside the vestibule door. The reader of the Report is left with the impression that Baker saw Oswald in the vestibule as well from this position.

However, Baker testified explicitly that he first caught a glimpse of the man in the vestibule from the stairs and, upon running to the vestibule door, saw

Oswald in the lunchroom. The Report's failure to point out Baker's position is significant.

“The circumstances surrounding the lunchroom encounter indicate that Oswald entered the lunchroom not by the vestibule door from without, as he would have had he descended from the sixth floor, but through a hallway leading into the vestibule. The outer vestibule door is closed automatically by a closing mechanism on the door. When Truly arrived on the second floor, he did not see Oswald entering the vestibule. For the Commission's case to be valid, Oswald must have entered the vestibule through the first door before Truly arrived. Baker reached the second floor immediately after Truly and caught a fleeting glimpse of Oswald in the vestibule through a small window in the outer door ... In fact, the door had to be completely closed for Baker to see anything through the door window...

“Baker's and Truly's observations are not at all consistent with Oswald's having entered the vestibule through the first door. Had Oswald done this, he could have been inside the lunchroom well before the automatic mechanism closed the vestibule door. Truly's testimony that he saw no one entering the vestibule indicates either that Oswald was already in the vestibule at this time or was approaching it from another source. However, had Oswald already entered the vestibule when Truly arrived on the second floor, it is doubtful that he [Oswald] would have remained there long enough for Baker to see him seconds later. Likewise, the fact that neither man [Truly, Baker] saw the mechanically closed door in motion is cogent evidence that Oswald did not enter the vestibule through that door ...

“Had Oswald descended from the sixth floor, his path through the vestibule into the lunchroom would have been confined to the north wall of the vestibule. Yet the line of sight from Baker's position at the steps does not include any area near the north wall. From the steps, Baker could have seen only one area in the vestibule—the southeast portion. The only way Oswald could have been in this area on his way to the lunchroom is if he entered the vestibule through the southernmost door ... Oswald could not have entered the vestibule in this manner had he just descended from the sixth floor. The only way he could have gotten to the southern door is from the first floor up through either a large office space or an adjacent corridor. As the Report concedes, Oswald told police he had eaten his lunch on the first floor and gone up to the second to purchase a coke when he encountered an officer...”

(On the automatic closing mechanism of the door opening to the vestibule of the second floor lunchroom: <https://www.jfk-assassination.net/russ/testimony/truly3.htm>.)

In agreement with this argument on that, the reconstruction is Oswald got there by coming up from the first floor by the southeast stairwell connecting the first to the second floor, and from there crossed the second floor to the lunchroom area *intending* to go out to the northwest stairwell and back *down* the northwest stairs to the first floor, then over to the Domino Room to retrieve his gray jacket and exit the building by a door just outside the Domino Room to the rear. That intention was thwarted when Oswald saw the officer through the glass in the door just as he was about to open the door outward. He retreated into the lunchroom where he was accosted by Baker.

Truly and Baker both said they saw nothing in Oswald's hands when Baker confronted him, although Oswald gave the impression (falsely, as reconstructed) that he had gone there to get a Coke.

Officer Baker gave this description of what Oswald was wearing:

Mr. BELIN. Did you notice what clothes the man was wearing as he came up to you?

Mr. BAKER. At that particular time I was looking at his face, and **it seemed to me like he had a light brown jacket on and maybe some kind of white-looking shirt**. Anyway, as I noticed him walking away from me, it was kind of dim in there that particular day, **and it was hanging out to his side**.

Comment: This is Oswald with his *maroon* shirt CE 151 hanging out over his belt that Baker is remembering as "*light brown*". On the confusion of the shirt being called a "jacket", compare FBI agent Barrett outside the Texas Theatre referring to seeing Oswald brought out wearing a brown *jacket* which was actually the brown *shirt*, CE 150. The maroon CE 151 shirt was lighter in tone than the dark brown CE 150, and Baker is calling the maroon CE 151 "*light*" brown. Oswald was wearing CE 151 over a *white T-shirt*, remembered by Baker as a "*white-looking shirt*" underneath the light brown "jacket".

Was Officer Marrion Baker red-green colorblind?

On Baker calling a reddish-maroon color "light brown", a reported 1 out of 12 white men have red-green color blindness (the most common type of color blindness,

genetically caused and which afflicts men rather than women, and whites more than other ethnicities), in which red cannot be seen and reds are seen as brown (“Color blindness: when red looks like brown”, <https://www.medicalnewstoday.com/articles/319115#The-many-shades-of-color-blindness->; “Color blindness by inheritance”, <https://www.colour-blindness.com/general/prevalence/>). That may well account for Baker’s reporting of the color.

Note Baker consistently calls the color he saw Oswald wearing at the second-floor lunchroom encounter “*light*” brown, which would never be a natural description of the dark brown CE 150, but *exactly* how the maroon CE 151 would be seen and told by one of the 1 in 12 white men with red-green color blindness.

Mr. BELIN. Handing you what has been marked as Commission Exhibit 150 [brown arrest shirt], would this appear to be anything that you have ever seen before?

Mr. BAKER - Yes, sir; I believe that is the shirt that he had on when he came. I wouldn’t be sure of that. **It seemed to me like that other shirt was a little bit darker than that whenever I saw him in the homicide office there.**

Comment: Here Baker is saying that the shirt he saw Oswald wearing when he saw him at the police station the afternoon of Fri Nov 22, the brown arrest shirt, CE 150, was *darker* than what Baker saw Oswald wearing at the time of the second floor lunchroom encounter, i.e. the lighter-toned reddish-maroon CE 151.

Mr. BELIN. What about when you saw him in the School Book Depository Building, does this look familiar as anything he was wearing, if you know?

Mr. BAKER - I couldn’t say whether that was—**it seemed to me it was a light-colored brown** but I couldn’t say it was that or not.

Comment: Belin is trying to have Baker identify Oswald as wearing *the dark brown arrest shirt* (CE 150) at the time of the second-floor lunchroom encounter. Baker is *not* willing to make that identification that Belin wants. Baker is saying what Oswald was wearing at the time of that encounter was *lighter* in color than the brown arrest shirt—*lighter* in color than CE 150. Again Baker signals with the language of “*light-colored brown*” that Oswald was wearing the maroon-colored CE 151 at the second-floor encounter, compared to the dark brown CE 150 arrest shirt Baker saw Oswald wearing *later* at the police station.

Mr. DULLES. Lighter brown did you say, I am just asking what you said. I couldn't quite hear.

Mr. BAKER. Yes, sir; **all I can remember it was in my recollection of it it was a light brown jacket.**

Mr. BELIN. Are you referring to this Exhibit 150 as being similar to the jacket or similar to the shirt that you saw or, if not, similar to either one?

Mr. BAKER. Well, it [CE 150, the brown arrest shirt] would be similar in color to it—I **assume it was a jacket, it was hanging out.** Now, I was looking at his face and I wasn't really paying any attention. After Mr. Truly said he knew him, so I didn't pay any attention to him, so I just turned and went on.

Mr. BELIN. Now, you did see him later at the police station, is that correct?

Mr. BAKER. Yes, sir.

Mr. BELIN. Was he wearing anything that looked like Exhibit 150 **at the police station?**

Mr. BAKER. **He did have a brown-type shirt [CE 150] on that was out.**

Comment: The shirt on Oswald at the police station was CE 150 (brown arrest shirt) which was darker than the CE 151 maroon shirt ("light brown jacket") Oswald was wearing at the second floor lunchroom encounter.

Mr. BELIN. Did it appear to be similar to any clothing you had seen when you saw him at the School Book Depository Building?

Mr. BAKER. **I could have mistaken it for a jacket,** but to my recollection it was a little colored jacket, that is all I can say.

Comment: Yes, that is what happened. Baker mistook Oswald's CE 151 maroon shirt which fell loose outside Oswald's belt for a light brown "jacket". What Baker remembered and assumed was a white regular shirt underneath the light brown "jacket" was Oswald's *white T-shirt* underneath the maroon CE 151 *shirt*.

This analysis of what Oswald was wearing at the second-floor lunchroom encounter is important because only moments later Oswald was seen by a witness, Mrs. Geraldine Reid, *wearing only a white T-shirt and pants, not a "light brown" or maroon shirt or "jacket"*.

Second floor: Geraldine Reid

With Baker and Truly gone, Oswald then did two things quickly, alone there in the lunchroom. First, he bought a coke to support his explanation of why he had been there (even though that was not his reason). And second, he *took off* his maroon shirt, CE 151, *stuffed it down into the front of his pants* in the crotch area (a shirt can be stuffed

there without being noticeable or uncomfortable), and hitched up his belt again. *Now he was wearing visibly only his white T-shirt and gray pants*, which is how he was seen *moments later* when he walked past Mrs. Reid on the second floor who told of that encounter.

Mrs. Reid was just returning to the second floor where she worked after seeing the parade below.

Mr. BELIN. And then what did you do?

Mrs. REID. Well, I kept walking and I looked up and Oswald was coming in the back door of the office. I met him by the time I passed my desk several feet and I told him, I said, "Oh, the President has been shot, but maybe they didn't hit him." He mumbled something to me, I kept walking, he did, too. I didn't pay any attention to what he said because I had no thoughts of anything of him having any connection with it at all because he was very calm. **He had gotten a coke** and was holding it in his hands and I guess the reason it impressed me seeing him in there I thought it was a little strange that one of the warehouse boys would be up in the office at the time, not that he had done anything wrong. The only time I had seen him in the office was to come and get change **and he already had his coke in his hand** so he didn't come for change and I dismissed him. I didn't think anything else.

(. . .)

Mr. BELIN. Do you remember what clothes he had on when you saw him?

Mrs. REID. What he was wearing, **he had on a white T-shirt and some kind of wash trousers**. What color I couldn't tell you.

Mr. BELIN. I am going to hand you what has been marked Commission Exhibit, first 157 and then 158, and I will ask you if either or both look like they might have been the trousers that you saw him wear or can you tell?

Mrs. REID. I just couldn't be positive about that. I would rather not say, because I just cannot.

Mr. BELIN. **Do you remember whether he had any shirt or jacket on over his T-shirt?**

Mrs. REID. **He did not. He did not have any jacket on.**

Mrs. Reid's statement that Oswald walked by her *in a white T-shirt* and carrying a coke has baffled researchers no end, because it is so different from Oswald reported seen only moments earlier wearing what officer Baker called a "*light brown*" jacket (maroon shirt CE 151).

Mrs. Reid's story was not fabricated or imagined. She told coworkers of her encounter with Oswald that weekend. Another employee, Pauline Sanders, told the FBI on Sun Nov 24 of Mrs. Reid telling her of it, <https://www.maryferrell.org/showDoc.html?docId=10406#relPageId=64>). Otis Campbell, vice president of the Texas School Book Depository, told the FBI on Tue Nov 26 of Mrs. Reid having told him of her encounter with Oswald, <https://www.maryferrell.org/showDoc.html?docId=95616#relPageId=89>). To the FBI on Dec 5:

“As she entered the office [on the second floor], she observed Lee Harvey Oswald, whose name she did not know at the time, but whom she had previously seen, and whose name she later ascertained from newspaper publicity, **coming from the back hallway** which is used as an aisleway between the warehouse and the clerical offices. Oswald was carrying a coca cola in his right hand. Mrs. Reid stated that to the best of her recollection, **Oswald was wearing a white tee-shirt** and a pair of pants, color unknown ... Mrs. Reid was shown a rust brown sport shirt with a hole in the right sleeve at the elbow [CE 150] ... [she] was certain that Oswald **did not** have this shirt on at the time she saw him on November 22, 1963” (FBI, Dec 5, 1963, <https://www.maryferrell.org/showDoc.html?docId=10408#relPageId=316>).

Mrs. Reid's testimony indicates Oswald took off his maroon shirt in the manner described immediately after the confrontation with officer Baker.

The purpose of the change in clothing was Oswald was now in evasive flight mode. All of his movements following the shots are consistent with a belief that his life is in danger and he is seeking to make his exit and take flight without being easily tracked.

Oswald prepares to leave the Texas School Book Depository building

Oswald now—wearing a white T-shirt and gray pants—after passing Mrs. Reid, descended by the southeast stairway from the second to the first floor (returning the way he had come up), went to the Domino Room on the first floor and retrieved his gray jacket from where he had put it that morning upon arrival to work. Oswald put the gray jacket on *over his white T-shirt* (not over his maroon shirt, CE 151, which continued to be stuffed in his pants). There was an adjoining shower room and bathroom stalls for privacy if needed.

Oswald then *tucked* his gray jacket *into his pants* as if he was tucking in shirttails of a shirt and tightened up his belt again. Except for the lack of buttons (the gray jacket

was zippered partway up) he now otherwise looked somewhat like he was wearing a long-sleeved gray flannel shirt over a white T-shirt.

Oswald leaves the Texas School Book Depository

Within maybe four minutes of the assassination, ca. 12:34 pm Fri Nov 22, Oswald left the Texas School Book Depository wearing the same gray jacket which he wore from Irving that morning to work.

He walked out the rear of the Book Depository building by the rear door next to the Domino Room, descended steps from a loading dock platform, rounded the northeast corner of the building and walked south on Houston by the side of the building, then crossed over and walked east on Elm, in keeping with Buell Frazier telling of seeing Oswald on Houston and Elm leaving that way (Buell Wesley Frazier, *Steering Truth: My Eternal Connection to JFK and Lee Harvey Oswald* [2021], 44-45).

(A comment here: I do not believe witness James Worrell's running man whom Worrell said he saw come out of the rear of the Texas School Book Depository wearing a "dark" sports jacket open and flapping as he ran, who then ran south on Houston, at close to this same time, was Oswald, or that that running man exited from the Book Depository. Instead it only looked that way to Worrell when the running man caught Worrell's eye at about the position of the rear door of the Book Depository, the running man actually having run there from some point of origin further west. That running man was not Oswald but was the same man seen by deputy sheriff Roger Craig running around from behind the Book Depository on the Houston Street side and getting into a car picking him up on Elm, and probably the same man seen by 15-year old witness Amos Euins: "Amos Lewis Euins said he saw a man near the depository building 'leaving hurriedly after the shooting.' He said 'Secret Service men told me I'd be in real trouble' if he commented further on what he saw" [<https://www.maryferrell.org/showDoc.html?docId=62490#relPageId=102>]. The key difference is the Worrell/Roger Craig/Euins running man was running, whereas Buell Frazier saw Oswald walking not running.)

Another witness, James Romack, testified that he watched the rear door of the Book Depository immediately after the shots and saw no one leave between then and when police had the building surrounded and sealed minutes later. However he said his attention was diverted with loss of eye contact for less than thirty seconds to assist an arriving newsman's vehicle, which is when Oswald will have slipped out that rear door, missed by Romack.

Oswald gets on a city bus to go to Oak Cliff

After walking seven blocks east, Oswald got on a westbound bus headed for Oak Cliff, getting a bus transfer ticket too, which would have gone into a pants pocket (rather than the white T-shirt or gray jacket).

This was Oswald's clothing configuration—*gray jacket over white T-shirt, tucked in to his gray pants*—when he *got on the bus*.

That was how Oswald looked when he boarded that city bus where, by total accident, on that bus and seeing him get on that bus, was a former landlady of Lee's from a week in early October in Oak Cliff, Mary Bledsoe, who had an unfavorable memory of Oswald and hoped he would not recognize her on the bus.

Mary Bledsoe

Mrs. Bledsoe told what she saw of Oswald on the bus, but her description of Oswald's "shirt" has seemed so bizarre that commonly she is written off as a wholly discredited witness.

Yet while Mrs. Bledsoe was far from a perfect witness, what has been missed is that Mrs. Bledsoe's seemingly unusual description of Oswald's "shirt" as looking *dirty, having no buttons, tucked in under his belt, and having a torn hole in the right elbow ... except for being wrong on the color (she claimed it was brown) is an accurate description of Oswald's gray jacket which he was wearing at that moment*. Once that is realized, Mrs. Bledsoe's seemingly bizarre description *makes sense*.

A first point: Mrs. Bledsoe was certainly describing Oswald and not some other person (mistaken identity), because unlike other witnesses she already knew Oswald well and recognized him out of her already knowing him.

Mr. BALL. And the bus was going in what direction?

Mrs. BLEDSOE. West.

Mr. BALL. All right, now, tell me what happened?

Mrs. BLEDSOE. And, after we got past Akard, at Murphy—I figured it out. Let's see. I don't know for sure. **Oswald got on. He looks like a maniac. His sleeve was out here [indicating].** His shirt was undone.

Mr. BALL. You are indicating a sleeve of a shirt?

Mrs. BLEDSOE. Yes.

Mr. BALL. It was unraveled?

Mrs. BLEDSOE. **Was a hole in it, hole**, and he was dirty, and I didn't look at him. I didn't want to know I even seen him, and I just looked off, and then about that time the motorman said the President had been shot, and I sit—when I go to town I sit this way on the bus. The motorman is right there [indicating], and I sit right there so that I can get off.

(...)

Mr. BALL. Did he look at you as he went by? Did he look at you?

Mrs. BLEDSOE. I don't know. I didn't look at him. That is—I was just—he looked so bad in his face, and his face was so distorted.

Mr. BALL. Did he have a hat on?

Mrs. BLEDSOE. No.

Mr. BALL. Now, what color shirt did he have on?

Mrs. BLEDSOE. He had a brown shirt.

Mr. BALL. And unraveled?

Mrs. BLEDSOE. **Hole in his sleeve right here [indicating].**

Mr. BALL. Which is the elbow of the sleeve? That is, you pointed to the **elbow?**

Mrs. BLEDSOE. Well, it is.

Mr. BALL. And that would be which elbow, right or left elbow?

Mrs. BLEDSOE. Right.

Mr. BALL. Did he have anything on. Was the shirt open or was it buttoned?

Mrs. BLEDSOE. **Yes; all the buttons torn off.**

Comment: Commonly this is interpreted as Mrs. Bledsoe retroactively influenced by the reports of Oswald on television in which the second and third of the top buttons of his shirt had been torn off in the struggle at the time of his arrest in the Texas Theatre. The idea is that Mary Bledsoe falsely imagined having seen *all* buttons *missing* because of *that*.

To the contrary, Mrs. Bledsoe's memory was *accurate* on that point—the reason she *noticed there were no buttons* is because what Oswald was wearing *in fact had no buttons*; it was his zippered gray jacket, tucked in like a shirt. Mrs. Bledsoe's "all the buttons torn off" is her language for *there were no buttons*—mistakenly interpreted by her to make sense of that memory as all the buttons, not just two, had been "*torn off*". The "torn off" is a confusion or rationalization from the stories of Oswald's later arrest. But the claim of no buttons in the "shirt" of Oswald is a prior observation that was correct.

Mr. BALL. What did he have on underneath that?

Mrs. BLEDSOE. I don't know.

Mr. BALL. Do you know the color of any undershirt he had on?

Mrs. BLEDSOE. No.

Mr. BALL. Notice the **color of his pants?**

Mrs. BLEDSOE. **Yes, they were gray**, and they were all ragged in here [indicating].

Mr. BALL. Around where?

Mrs. BLEDSOE. At the seam.

Mr. BALL. At the waist?

Mrs. BLEDSOE. At the waist, uh-huh.

Mr. BALL. Was the shirt tucked beneath the belt in his pants, or outside the belt?

Mrs. BLEDSOE. No; he had it in.

Mr. BALL. Had it tucked in?

Mrs. BLEDSOE. No: **it was tucked in.**

Mr. BALL. So, that the belt of the pants was outside the shirt?

Mrs. BLEDSOE. Yes; uh-huh.

Comment: Mrs. Beldsoe is correct on the color of Oswald's pants (gray).

Mr. BALL. Now, I have got a piece of clothing here, which is marked—

Mrs. BLEDSOE. That is it.

Mr. BALL. Commission Exhibit 150.

Mrs. BLEDSOE. That is it.

Mr. BALL. This is a shirt.

Mrs. BLEDSOE. That is it.

Mr. BALL. What do you mean by "that is it?"

Mrs. BLEDSOE. Because they brought it out to the house and showed it.

Mr. BALL. I know. What do you mean by "that is it?"

Mrs. BLEDSOE. Well, because I can recognize it.

Mr. BALL. Recognize it as what?

Mrs. BLEDSOE. **Yes, sir; see there?**

Mr. BALL. Yes. You tell me what do you see here? What permits you to recognize it?

Mrs. BLEDSOE. I recognize—**first thing I notice the elbow is out** and then I saw—when the man brought it out and let me see it?

Mr. BALL. No, I am talking about—I am showing you this shirt now, and you said, "That is it." You mean—What do you mean by "that is it"?

Mrs. BLEDSOE. That is the one he had out there that day?

Mr. BALL. Who had it out there?

Mrs. BLEDSOE. Some Secret Service man.

Mr. BALL. He brought it out. Now, I am—you have seen this shirt then before?

Mrs. BLEDSOE. Yes.

Mr. BALL. It was brought out by the Secret Service man and shown to you?

Mrs. BLEDSOE. Yes.

Mr. BALL. **Had you ever seen the shirt before that?**

Mrs. BLEDSOE. **Well—**

Mr. BALL. **Have you?**

Mrs. BLEDSOE. **No; he had it on, though.**

Mr. BALL. Who had it on?

Mrs. BLEDSOE. Oswald.

Mr. BALL. Oswald had it on?

Mrs. BLEDSOE. Oswald had it on.

Mr. BALL. Now, what is there about the shirt that makes you believe that this is the shirt that Oswald had on when he was on the bus? What is there about it?

Mrs. BLEDSOE. Well, let's see the front of it. Yes. See all this [indicating]? I remember that.

Mr. BALL. Tell me what you see there?

Mrs. BLEDSOE. I saw the—no; not so much that. It was done after—**that is part I recognize more than anything.**

Mr. BALL. **You are pointing to a hole in the right elbow?**

Mrs. BLEDSOE. **Yes.**

Mr. BALL. What about the color?

Mrs. BLEDSOE. Well, I—What do you mean?

Mr. BALL. Well—

Mrs. BLEDSOE. When he had it on?

Mr. BALL. Yes.

Mrs. BLEDSOE. Before he was shot? Yes; I remember it being brown.

Mr. BALL. You remember the shirt being brown. Was it this color?

Mrs. BLEDSOE. Yes; it was that color.

Mr. BALL. In other words, when you remember that you have seen something before—

Mrs. BLEDSOE. Uh-huh.

Mr. BALL. In order to convince me that you did see it before you've got to tell me what there is about it that is the same, you see. Now, you try to convince

me, or tell me why it is that you believe that this is the shirt that Oswald had on when you saw him on the bus?

Mrs. BLEDSOE. **Well, I would say it was. That hole—**

Mr. BALL. **Mostly the hole in the right sleeve?**

Mrs. BLEDSOE. **Yes.**

Mr. BALL. What about the color?

Mrs. BLEDSOE. Yes; I remember the color.

Mr. BALL. That is a similar color, isn't it?

Mrs. BLEDSOE. No; same color.

Mr. BALL. Same color?

Mrs. BLEDSOE. Uh-huh.

Mr. BALL. You think that is the shirt?

Mrs. BLEDSOE. Yes; it is the shirt.

On the color of the “shirt”, Oswald was wearing his gray jacket, not the CE 150 brown shirt. The best explanation for her calling it “brown” probably is Mrs. Bledsoe was reflecting the color of Oswald’s shirt in the news, i.e. her story was influenced by that. When Mrs. Bledsoe was shown CE 150, the brown arrest shirt of Oswald, on Dec 4, 1963 by FBI agents, *at first* Mrs. Bledsoe told the agents she did *not* recognize CE 150, which was an accurate response (Oswald was not wearing CE 150 on the bus). But *then* she asked the FBI if there was a torn hole in a sleeve. (Was Mrs. Bledsoe trying to cooperate and be helpful to the FBI investigators if she could?) Mrs. Bledsoe was shown CE 150 and there was a torn hole in the right elbow. That changed her mind. Based on that Mrs. Bledsoe now said CE 150 was the correct shirt, perhaps also influenced by wanting to reconcile her memory with information on television concerning the shirt that the FBI and now she believed was the “correct” shirt Oswald was wearing when she saw him. Here is the earliest FBI interview of Mary Bledsoe, Nov 23, 1963:

“After the motorcade went by her position she walked over to St. Paul and Elm Street across from the Dallas Athletic Club where she got on a bus, as she recalls a Marsalis bus [to Oak Cliff]. She paid her fare and sat down in a seat directly opposite the driver facing the aisle and the bus proceeded down Elm Street. As she recalled, when the bus stopped on Murphy Street she saw Lee Oswald get on the bus, pay his fare, and immediately walk to the rear of the bus where he sat down. She stated at this time the bus was not crowded and there were very few people on the bus. At that time she stated Oswald appeared to be somewhat nervous and **she noticed that he was wearing dirty clothes stating she felt this was strange inasmuch as when he resided with her**

he had been very neat in his personal appearance. After he got on the bus, traffic going west on Elm Street became extremely heavy and the bus made short, jerky moves in the congested traffic, and while stopped a passing motorist told the bus driver that the President had been shot. She stated that at that point people in the bus began talking about the President being shot and shortly thereafter Lee Oswald got up from the rear seat where he had been sitting and came to the front of the bus, passing in front of her, and got off the front entrance at the next stop, she thought, and disappeared in the crowd.

“Mrs. Bledsoe advised as best she recalled, Oswald was dressed as follows: **wearing ragged gray work pants, wearing a brown shirt with holes [corrected to “with *hole*”] in the [corrected to “in *one*”] elbow.**” (FBI, Nov 23, 1963, <https://www.maryferrell.org/showDoc.html?docId=10406#relPageId=345>).

Here is the FBI interview of Mary Bledsoe of Dec 4, 1963 when she was shown CE 150:

“Mrs. Mary E. Bledsoe ... was exhibited a dark rust colored shirt alleged to have been worn by Lee Harvey Oswald on the day of the assassination of President John F. Kennedy on November 22, 1963. Mrs. Bledsoe recalled the incident when she saw Oswald on a Dallas street bus on that date. **When the shirt was removed from an envelope in which it was contained, Mrs. Bledsoe at first said, ‘No, no. That is not the shirt.’ She then inquired as to whether the shirt had a ragged elbow.** Upon further examination of the shirt, she observed a hole in the right elbow of the shirt, at which time she quickly stated, ‘Yes, yes. This is the shirt.’

“Mrs. Bledsoe qualified her first answer that this was not the shirt by stating **she seemed to recall the shirt she observed Oswald wearing on November 22, 1963 was more dirty in appearance.** She said when she observed the ragged elbow on the shirt, she was positive this was the shirt Oswald was wearing when she saw him on the bus. She stated she is **positive he was wearing a long sleeve shirt** of the same dark appearance as the shirt she observed at her residence on December 4, 1963. She stated Oswald was **not wearing a jacket or coat** when she saw him on the bus on November 22, 1963. She stated the shirt she saw him wearing was of a brown or dark brown color.

“Mrs. Bledsoe again stated she observed Oswald as he entered the bus and paid the driver. She stated she was seated on one of the side seats opposite the driver, and when she observed Oswald looking so dirty and disheveled, she turned her head away from him not wishing to converse with him. She stated she recognized him immediately as he entered the bus as being a former tenant at her house at 621 North Marsalis. She stated her first impression was that the left sleeve on Oswald’s shirt was the sleeve that had the ragged elbow; however, she was not positive. She stated she again observed Oswald as he passed in front of her to leave the bus after the bus had moved a short distance down the street.

“Mrs. Bledsoe said she did note Oswald **had his shirrtail tucked into his pants** and that his pants were ragged around the top.” (FBI, Dec 4, 1963, <https://www.maryferrell.org/showDoc.html?docId=10408#relPageId=309>)

Mrs. Bledsoe’s saying the color of the “shirt” was “brown or dark brown” was incorrect—Oswald’s gray jacket was a medium gray—perhaps influenced by hearing of Oswald’s brown arrest shirt in the news. Apart from that however, her description is a description of Oswald’s gray jacket—the absence of buttons (it was zippered); its being dirty (it was an old gray jacket); its being tucked in under the belt (Oswald was wearing the gray jacket over his white T-shirt, tucked in his pants as if it was a shirt). The torn hole in the right elbow corresponds to a torn hole in the right elbow in Oswald’s jacket sleeve in the Minsk photo, which almost certainly is Oswald’s gray jacket (<https://www.pinterest.com/pin/162692605265325162/>).

(A comment here: photos of Oswald wearing the brown shirt, CE 150, at the Dallas Police station after his arrest on Friday Nov 22, 1963, taken by Daryl Heikes of the *Dallas Times-Herald*, and Bill Winfrey of the *Dallas Morning News*, are shown in the Pat Speer “Threads of Evidence” article. In these photos the right elbow of CE 150 is shown and there is no tear visible [<https://www.patspeer.com/chapter-4b-threads-of-evidence>]; photos at about 40% through the article). But it is not that a tear or hole is actually not there in CE 150 at that moment in time. The hole in the elbow of CE 150 is underneath and behind the bottom of Oswald’s elbow in the Heikes and Winfrey photos, where it cannot be seen. As explained by FBI photograph expert Lyndal Shaneyfelt, the hole’s location is at the position of an officer’s thumb above Oswald’s elbow in another photo that also can be seen in the “Threads of Evidence” article [Shaneyfelt: <https://www.maryferrell.org/showDoc.html?docId=51#relPageId=705>].)

Returning to Mary Bledsoe's testimony:

Mr. BALL. When did you first notify the police that you believe you'd seen Oswald?

Mrs. BLEDSOE. When I got home, first thing I did I went next door and told them the President had been shot, and he said, "Why, he has got killed." Well, I turned on the radio—television—and we heard ambulances and going around and there was a little boy came in that room in the back and he turned it on, and we listened and hear about the President, only one I was interested in, so, he went on back to work and **they kept talking about this boy Oswald and had on a brown shirt**, and all of a sudden, well, I declare, I believe that this was this boy, and his name was Oswald—that is—give me his right name, you know, and so, **about an hour my son came home, and I told him and he immediately called the police and told them**, because we wanted to do all we could, **and so, I went down the next night**. He took me down, and I made a statement to them, what kind of—Secret Service man or something down there.

Mr. BALL. Where?

Mrs. BLEDSOE. At the police station.

Mr. BALL. Uh-huh. Now, did you ever see Oswald in a lineup?

Mrs. BLEDSOE. No.

Mr. BALL. Never did see Oswald after he was arrested?

Mrs. BLEDSOE. Not after he got off the bus; no.

Mr. BALL. But, you looked at the pictures of Oswald?

Mrs. BLEDSOE. Yes.

Mr. BALL. Showed you the pictures of Oswald?

Mrs. BLEDSOE. The man down at the police station, he had a picture of him with a gun, and said, "Do you recognize him?" And I said, "Yes; it is Oswald." That is the one that I remember him.

Mr. BALL. Do you know the name of the man who showed you the picture of the man with the gun?

Mrs. BLEDSOE. I am so bad about names.

Mr. BALL. Was there one man or more than one man?

Mrs. BLEDSOE. Oh, about a dozen.

Mr. BALL. Oh, a dozen men?

Mrs. BLEDSOE. There sure was a lot of them. Two Secret Service men, and two to do this, and oh, I had interviewed about 9 or 10 or 12, plenty of them.

Two other witnesses of Oswald on the bus

The explanation that Mary Bledsoe saw Oswald on the bus wearing his *gray jacket* resolves another longstanding puzzle: how Mrs. Bledsoe could have such a full description of a *shirt* if it was *underneath a jacket* as remembered by both of the other two witnesses of Oswald on the bus known to the FBI and Warren Commission: Jones and McWatters.

Roy Milton Jones (age 16, passenger, sat first seat behind Mary Bledsoe):

“a dark-haired man ... sat in the seat directly behind him ... left the bus by the front door ... he did not observe this man clearly ... white, male, 30-35, 5'11”, 150, medium [build], dark brown [hair], receding at temples, **light blue jacket** and **gray khaki trousers.**” (FBI, March 30, 1964, https://aarclibrary.org/publib/jfk/wc/wcvols/wh25/pdf/WH25_CE_2641.pdf)

Cecil McWatters (bus driver):

Mr. BALL. What did the man look like who knocked on your door and got on your bus?

Mr. McWATTERS. Well, I didn't pay any particular attention to him. He was to me just dressed in what I would call **work clothes**, just **some type of little old jacket on**, and I didn't pay any particular attention to the man when he got on—

Mr. BALL. Paid his fare, did he?

Mr. McWATTERS. Yes, sir; he just paid his fare and sat down on the second cross seat on the right.

Mr. BALL. Do you remember whether or not you gave him a transfer?

Mr. McWATTERS. Not when he got on; no, sir.

Mr. BALL. You didn't. Did you ever give him a transfer?

Mr. McWATTERS. Yes, sir; I gave him one about two blocks from where he got on.

Mr. BALL. Did he ask you for a transfer?

Mr. McWATTERS. Yes, sir.

(...)

Mr. BALL. What was the size and the height and complexion of the man that knocked on the window of this bus?

Mr. McWATTERS. Well, I would say, just like I told the police, to me he was just a medium-sized man. To me he was, I could say, not, I wouldn't call him—just of average weight, and I would say a light-complected, to the best of my knowledge.

Mr. BALL. When you say “average weight” what do you mean?

Mr. McWATTERS. I figured just like I saw, the man, he looked like to me the best way I can describe him would be 135 or 140 pounds.

Mr. BALL. What about height?

Mr. McWATTERS. Well, just like I told them, it looked like to me he would probably be five-seven or five-eight, in that vicinity.

(...)

Senator COOPER. When you say this passenger got on near Murphy Street, was there anything about him that caused you to take notice of him particularly?

Mr. McWATTERS. Well, no, sir. I wouldn't say there was. He was, I would say, **he didn't have on no suit or anything, he had on, I believe, some type of jacket, cloth jacket.**

Mrs. Bledsoe saw only a “shirt” and no jacket whereas the other two remembered a jacket. That is resolved in that Mrs. Bledsoe *was* describing Oswald's gray jacket, which she mistook from her belt-level vantage point to be a shirt. Mrs. Bledsoe was sitting with her back to the windows of the bus opposite the driver's side and looking at about waist level when Oswald passed by her on his way to a seat further back. Anyone looking above the belt and seeing the zipper could see it was a jacket which will account for McWatters and Jones remembering Oswald wearing a jacket. Mrs. Bledsoe also saw no buttons on what she mistook for a shirt with a torn sleeve, but she rationalized in her mind that was because *all* of the buttons had been *torn off*, because she saw it tucked in to his pants, as she both noticed and tried to avoid eye contact with Lee.

The descriptions of all three of the witnesses of Oswald on the bus are understandable once it is taken into account what they saw.

Oswald's gray jacket and his brown shirt, CE 150, both had holes in the right elbow, evidence from photographs in each case. Mary Bledsoe saw the hole in the elbow of Oswald's gray jacket. It was a coincidence that Oswald's arrest shirt, CE 150, also had a hole in the right elbow, but that coincidence was enough to convince Mrs. Bledsoe, erroneously against her first instinct, that CE 150 was the “shirt” she saw on the bus,

the brown shirt that she heard about on the news and was presented to her by FBI agents as *the shirt*.

Note that young bus rider Roy Jones, interviewed four months after the fact, also did not remember the color of the gray jacket quite right (“light blue”) but *it was the same item of clothing* seen by Mary Bledsoe and *he* did not remember it as “*brown*”. That is, failure to corroborate Mary Bledsoe on the brown color.

Oswald taking a cab to Oak Cliff: William Whaley

After the bus was stuck in traffic Oswald got off the bus and walked to the Greyhound bus station where he found and took a cab to his rooming house in Oak Cliff. The cab was driven by William Whaley, who had been driving a cab 36 years by 1963.

In the time between his exit from the bus and getting into the cab, Oswald made another change in his physical appearance. He found some momentary spot of privacy—whether behind a building with no one watching, stepping into an alley, behind some trees or bushes—and took off his gray jacket and set it to one side momentarily. He then unhitched his belt in front, *pulled out the maroon shirt* he had stuffed in the front of his pants, *and put on the crumpled maroon shirt* over his white T-shirt, buttoning it up partway but not all the way, in keeping with how he and other working men of that time commonly wore shirts partly open. He tucked his shirt into his pants, hitched up his belt again, put his gray jacket back on over his shirt and pants, and either zipped up the gray jacket partway or not at all. This would have been done quickly, within perhaps ca. 20 seconds or so. Then Oswald continued on his way to get the cab.

The reason for this change of clothing is the same reason for the other changes of clothing before and after and his other evasive maneuvers. He was seeking to evade possible pursuit and being tracked. It is the behavior of someone in fear for his life.

Here are the earliest interviews of Oswald’s cab driver, William Whaley, Saturday Nov 23:

Dallas Police: “This boy walked up to the cab, he was walking South on Lamar from Commerce, he asked if he could get a cab, I told him, yes, and I opened the back door. He shut the back door and said he wanted to sit in the front. The boy said he wanted to go to the 500 block of North Beckley ... This boy was small, five feet eight inches, slender had on a dark shirt with white spots of

something on it. He had a bracelet on his left wrist. He looked like he was 25 or 26 years old.” (Dallas Police, affidavit of William Whaley, Nov 23, 1963, <https://texashistory.unt.edu/ark:/67531/metaph340509/m1/1/>)

FBI: “[Whaley] recalled that the young man he drove in his cab that day [the day before] was wearing a heavy identification bracelet on his left wrist, he appeared to need a haircut and was dressed in **gray khaki pants** which looked as if they had been slept in. He had on a dark colored shirt with some light color in it. The shirt had long sleeves and the top two or three buttons were unbuttoned. **The color of the shirt nearly matched the pants**, but was somewhat darker. The man wore no hat. He appeared to be about 25 years of age, 5’7” to 8” tall, about 135 pounds, with brown hair thick on top. He had a long thin face and a high forehead. He did not appear to have a noticeable accent but rather talked as people in this area normally do ... Mr. Whaley was present at a lineup at the Dallas Police Department Lineup Room, where Lee Harvey Oswald appeared ... Mr. Whaley without hesitation stated that Oswald is definitely the man whom he drove in his cab on November 22, 1963, as related above.” (FBI, Nov 23, 1963, <https://www.maryferrell.org/showDoc.html?docId=57698#relPageId=174>)

A first point is that Whaley’s identification of Oswald as his passenger sitting next to him in the cab, within hours of the event, was correct and it can be excluded that it was a mistaken identification. The identification bracelet detail matches what Oswald was wearing. The start and end locations of the cab ride and the time of day match Oswald’s movements, since he did get from the Book Depository at Dealey Plaza to his rooming house in Oak Cliff some way and how else, and Oswald told his interrogators that he had taken a bus and then a cab.

The physical description agrees with Oswald. The detail that the man needed a haircut matches. (Oswald coworker Roy Lewis: “He never wanted to get a haircut. We would tease him about it because hair would be growing down his neck. We told him a week or two before the assassination that we were going to throw him down and cut it ourselves, but he just smiled”, Sneed, *No More Silence* [1998], 86.) The gray pants is the color of pants Oswald was wearing.

The “shirt” description attributed to Whaley in the FBI interview is hardly different from the “shirt” Mary Bledsoe saw, in both cases actually Oswald’s gray jacket. The FBI reports Whaley saying, “the *color of the shirt nearly matched the pants*” which were *gray*. Although there is reference to only one upper-body item of clothing in this report of

Whaley—a “shirt”—Whaley’s later accounts clearly distinguish a shirt (remembered by Whaley as of dark color with a light-colored or silvery lining) and a gray *jacket*.

The gray jacket again

It was Oswald’s gray *jacket* (not the CE 151 maroon *shirt*) which “nearly matched” Oswald’s gray pants in color. That this is so can be seen by comparison with Whaley’s Warren Commission testimony of March 12, 1964:

Mr. BALL. Did you notice how he was dressed?

Mr. WHALEY. Yes, sir. I didn’t pay much attention to it right then. But it all came back when I really found out who I had. He was dressed in just ordinary work clothes. It wasn’t khaki pants but they were khaki material, **blue faded blue color**, like a **blue uniform** made in khaki. Then he had on a brown shirt with a little silverlike stripe on it and he had on **some kind of jacket**, I didn’t notice very close but **I think it was a work jacket that almost matched the pants**. He, his shirt was open three buttons down here. He had on a T-shirt. You know, the shirt was open three buttons down there.

There is some confusion which requires disentangling here. First, Whaley has changed his original and correct “gray” of the jacket and pants to “faded blue” color. However in an interview filmed *after* his Warren Commission testimony (because Whaley refers back to his Warren Commission testimony in that interview), Whaley recounting the *same* as above tells it with *gray* color again. Whaley is filmed driving his cab and telling of the day he drove Oswald. Whaley:

“Well, he just looked like an ordinary working man. He was small, **had on gray work clothes**, a brown shirt and a silver stripe and a work jacket.”

(<https://www.youtube.com/watch?v=UORpPiG9QmI>; at 0:14)

Since gray is the known true color of Oswald’s pants, and gray was Whaley’s original color for Oswald’s jacket and is again repeated here, and since the jacket was always said by Whaley to match the color of the pants, gray is therefore the true color of the jacket of Oswald that Whaley saw.

It was Oswald’s *gray jacket* which “nearly matched the pants” or “almost matched the pants” which in Whaley’s original statement and from other testimony were *gray* pants (not faded blue). *Gray pants and a gray jacket*, except the jacket was a little darker gray than the pants, is what Whaley saw. Compare the parallels:

FBI, Nov 23, 1963: Oswald “was dressed in **gray khaki pants** ... he had on a dark colored **shirt** ... the color of the **shirt** **nearly matched the pants**”.

Warren Commission testimony, March 12, 1964: “he had on some kind of **jacket** ... a work **jacket** that **almost matched his pants**”.

It is clear it is Oswald’s *gray jacket* which was the match to the gray pants. The FBI report of Nov 23 of the “shirt” being the match to the pants, in light of everything else Whaley said and the Warren Commission testimony parallel above, suggests the FBI reporting agent of Nov 23 misunderstood or accidentally misreported what Whaley told on Nov 23.

The maroon shirt CE 151 again

On Dec 18, 1963 the FBI—which was intent on establishing that the brown arrest shirt, CE 150, was what Oswald wore the morning of Nov 22—showed CE 150 to Whaley (just as the FBI did with Mary Bledsoe), and sought to obtain Whaley’s identification of CE 150. Whereas Mary Bledsoe after first saying CE 150 was *not* the shirt, changed her mind and *did* identify CE 150, the FBI report of the interview with Whaley shows Whaley did *not* identify CE 150 as the shirt Oswald was wearing.

Strikingly—and this is so stunning it can hardly be overemphasized—the FBI did *not* show CE 151, the maroon shirt Oswald *said* he wore and *did* wear to work the morning of Friday Nov 22, to Whaley or *any* of the other witnesses, even though the FBI *knew* Oswald in his interrogation had *said* the shirt he wore the morning of Nov 22 was the maroon dress shirt CE 151 found by police in his rooming house exactly where Oswald told his interrogators he had left it when he changed clothes there at 1 pm.

This failure by agents of the Dallas FBI office *to show to any witness the maroon CE 151 that Oswald said he wore and did wear the morning of Nov 22*—while showing *many witnesses only* CE 150 (and coming up with very weak witness support for CE 150 as a result)—was surely an intentional, directed decision from FBI headquarters in Washington, D.C., in keeping with FBI headquarters’ centralized hands-on micromanagement of field office investigations.

The FBI *had* CE 151. They *could easily* have shown it to witnesses just to find out what witnesses would say, whether to confirm or deny. But they did not, not in one single case.

Was there some reason FBI headquarters did not do that, some fear that witnesses might report recognition of the distinctive reddish CE 151 if given opportunity to see it? Was there some reason why it would be important to FBI headquarters that the shirt worn by Oswald the morning of Nov 22 *must be found to have been CE 150*?

(Pat Speer discusses the context of the FBI's systematic failure to show CE 151 to any witnesses in "Threads of Evidence", <https://www.patspeer.com/chapter-4b-threads-of-evidence>.)

Here is the FBI report of Whaley's response on Dec 18 when Whaley's identification was sought for CE 150:

"William Wayne Whaley ... employed as a cab driver for Yellow Cab Company, Oak Cliff Cab Division, examined a brown long-sleeved man's sport shirt [CE 150] and stated that he **cannot definitely say whether this is or is not the shirt** worn by Lee Harvey Oswald on November 22, 1963, when he took Oswald from the Greyhound Bus Station to the 500 block of Beckley, Dallas, Texas. He stated that this may well be the shirt since, as he recalls, **Oswald was wearing grey work pants and a grey work jacket** and had on a darker shirt which had a gold streak in it. He also recalled that this shirt was opened down the front to about the fourth button, and he does not recall Oswald's wearing an undershirt. **He also recalled that the shirt, as well as the rest of Oswald's attire, was unpressed and wrinkled, as though it had not been ironed after washing or as though he had slept in the clothes.**" (FBI, Dec 18, 1963, <https://www.maryferrell.org/showDoc.html?docId=95672#relPageId=151>)

Months later in his Warren Commission testimony Whaley will say he thought he had identified CE 150 as the shirt he saw Oswald wearing in his Dec 18, 1963 FBI interview, but the above FBI report at the time shows that Whaley did not do so. (The FBI at the time reported Whaley's answer was uncertainty, not positive identification.)

It is interesting that Whaley remembered that Oswald's shirt "was unpressed and wrinkled ... as though he had slept in the clothes". In fact Oswald had put on the maroon CE 151, which was a dress shirt requiring ironing to look right, just before getting into Whaley's cab after pulling it out from being wadded and stuffed in the front of his pants. It is not surprising that Whaley would notice it looked wrinkled.

The “light stripe” on Oswald’s shirt according to Whaley

Whaley on Nov 23 said the “dark colored shirt” of Oswald had “some light color in it”. On Dec 18 Whaley referred to “a gold streak in it”. In his Warren Commission testimony he called it “white spots of something”, “light-colored stripe in it”, “that light stripe in it”, and “a little silverlike stripe on it”.

This has caused much puzzlement to researchers due to a basic fact: neither CE 150 (which the Warren Commission erroneously claimed Oswald wore) nor CE 151 (the maroon shirt Oswald actually did wear)—neither one—has any identifiable “light-colored stripe” or “white spots” on it. Plus, no other witness claimed to see anything of that nature in either of those shirts. Yet, Whaley repeated that detail from start to finish in his accounts.

Two conclusions can be drawn. First, the absence of such a feature in the photographs of the shirt worn by Oswald (in the color photographs of the maroon CE 151 obtained by Pat Speer, or in the color photographs of the CE 150 brown arrest shirt either), combined with the absence of any other witness testimonies to such a feature on Oswald’s shirt, indicates such a feature did not actually exist on the shirt Oswald was wearing.

But second, Whaley’s testimony indicates Whaley *believed* such a feature was on the shirt Oswald was wearing and that *does* call for explanation.

There are only two possibilities I can think of in explanation, both involving mistakes in perception on Whaley’s part and peripheral vision.

The first: Whaley would have seen the front of Oswald as he walked toward the cab and entered and got in the cab, but after that Whaley would have seen Oswald only from the left side and then from the rear after Oswald exited. The suggestion is that Whaley would later remember that, in seeing the front of Oswald, his eye had caught a glimpse of a light-colored decorative stripe on Oswald’s gray jacket which somehow Whaley mistakenly assumed was from the *shirt*.

The suggestion is Oswald’s gray jacket could have had a decorative stripe of the kind sometimes found on flannel-like or windbreaker-like jackets, something like this kind of design, https://www.amazon.com/WENTTUO-Windbreaker-Lightweight-Windproof-Dustproof/dp/B0BZYMPQHP/ref=sxin_19_pa_sp_, or this: https://www.amazon.com/Spyder-Active-Sports-Constant-Medium/dp/B084BSD31S/ref=sr_1_28.

And in the Minsk photo of Oswald's jacket, which is likely the gray jacket Oswald wore in Whaley's cab, there *is* some kind of a visible horizontal stripe at chest level on that jacket, though it is difficult to tell whether that is a seam (no change of color) or a decorative stripe of a different color for highlighting:

<https://www.bbc.com/news/magazine-24945209>.

Because the only photographs known for that jacket of Oswald in Minsk—likely the only photographs of Oswald's gray jacket in existence—are in black-and-white, not color, it cannot be confirmed that that stripe on that jacket was light-colored in a way that could have stood out as memorable to Whaley. But if so, that could be one possible way of accounting for Whaley's reference, by the stripe on the jacket in peripheral vision mistakenly remembered as part of Oswald's shirt.

The other possibility would be some misunderstanding of Whaley seeing, again by peripheral vision, the top of Oswald's white T-shirt visible from underneath just above the edges of his maroon shirt, misunderstood by Whaley as being a lining or stripe of white or a light color on the shirt. In support of this explanation might be the FBI interview of Dec 18 in which Whaley said he did not notice Oswald wearing a white T-shirt ("he does not recall Oswald's wearing an undershirt"), even though Oswald *was* wearing a white T-shirt.

If Whaley *did* recall some glimpse of a streak of white of the white T-shirt at Oswald's front without having paid attention to it at the time, and did *not* realize it was from a white T-shirt underneath (as Whaley did *not* realize, according to the Dec 18 FBI account), perhaps that could be how Whaley in his earliest accounts interpreted that glimpse of white as if the shirt itself had "white spots of something on it" (Nov 23), "some light color in it" (Nov 23), "a gold streak in it" (Dec 18), or a "a little silverlike stripe on it" (March 12, 1964).

One of those two possibilities may account for what Whaley believed he saw.

Did Whaley claim Oswald wore two jackets at the same time—one over the other? (No)

At this point will be addressed one of the most puzzling aspects of Whaley's Warren Commission testimony as it is usually read, which has seemed so incoherent and incomprehensible that it has been cited as a basis for rejecting Whaley's credibility: an idea that Whaley claimed Oswald was wearing two jackets at the same time.

Here is the relevant testimony. The two lines at issue are underlined below. (Note in passing that Mr. Ball, going through some exhibits of Oswald's clothing, does not ask Whaley about CE 151, the shirt Oswald actually wore.)

Mr. BALL. I have some clothing here. Commission Exhibit No. 150, does that look like the shirt?

Mr. WHALEY. That is the shirt, sir, **it has my initials on it.**

Mr. BALL. In other words, this is the shirt the man had on?

Mr. WHALEY. Yes, sir; that is the same one the FBI man had me identify.

Mr. BALL. This is the shirt the man had on who took your car at Lamar and Jackson?

Mr. WHALEY. As near as I can recollect as I told him. I said that is the shirt he had on because it had a kind of little stripe in it, light-colored stripe. I noticed that.

Mr. BALL. Here are two pair of pants, Commission Exhibit No. 157 and Commission Exhibit No. 156. Does it look anything like that?

Mr. WHALEY. I don't think I can identify the pants except they were the same color as that, sir.

Mr. BALL. Which color?

Mr. WHALEY. More like this lighter color, at least they were cleaner or something.

Mr. BALL. That is 157?

Mr. WHALEY. Yes, sir.

Mr. BALL. But you are not sure about that?

Mr. WHALEY. I am not sure about the pants. I wouldn't be sure of the shirt if it hadn't had that light stripe in it. I just noticed that.

Mr. BALL. **Here is Commission No. 162** which is a gray jacket with zipper.

Mr. WHALEY. **I think that is the jacket he had on** when he rode with me in the cab.

Mr. BALL. Look something like it? And here is Commission Exhibit No. 163, does this look like anything he had on?

Mr. WHALEY. He had this one on or the other one.

Mr. BALL. That is right.

Mr. WHALEY. **That is what I told you I noticed. I told you about the shirt being open, he had on the two jackets with the open shirt.**

Mr. BALL. Wait a minute, we have got the shirt which you have identified as the rust brown shirt with the gold stripe in it.

Mr. WHALEY. Yes, sir.

Mr. BALL. You said that a jacket—

Mr. WHALEY. **That jacket [CE 162] now it might have been clean, but the jacket he had on looked more the color, you know like a uniform set, but he had this coat here [CE 163] on over that other jacket [CE 162], I am sure, sir.**

Mr. BALL. This is the blue-gray jacket, heavy blue-gray jacket.

Mr. WHALEY. Yes, sir.

As noted above, Whaley did not make a positive identification of CE 150, the brown arrest shirt, in his FBI interview of Dec 18, according to the FBI report of that interview, even though now on March 12 Whaley thinks he did. However when shown CE 150 on March 12 again, Whaley now says “that is the shirt”. Whaley notes what may be some sort of tag with Whaley’s initials on it attached to the shirt (“it has my initials on it”), perhaps to remind Whaley (lest he forget) of the correct shirt he has identified in some preinterview that he is now to do for the record.

Moving forward to the jackets, when Whaley is shown CE 162 (now on March 12), Whaley says, “I think that is the jacket he had on”. But when Mr. Ball then shows him Oswald’s blue CE 163, Whaley *backs off* from thinking CE 162 was the Oswald jacket Whaley remembered. Whaley first says it could be CE 163 too, one or the other: “He had this one on or the other one”. But Whaley immediately moves from that to favoring CE 163 over CE 162.

With both CE 162 and CE 163 in front of him for comparison, Whaley notices that the off-white of CE 162 is a lot lighter than he remembers the gray jacket of Oswald. Whaley acknowledges CE 162 (the Tippit killer’s off-white light tan jacket) “might have been clean[ed]”, as a possible explanation for why it looked noticeably *lighter* than Oswald’s gray jacket.

Although the transcript *reads* as if Whaley is nonsensically claiming Oswald wore both jackets at the same time, that reading of Whaley can hardly be correct, because it is so nonsensical and it is not what Whaley has otherwise been saying. It is more likely there is some glitch in how Whaley’s words have been reported than that Whaley actually meant something that nonsensical.

A better reading of the two lines at issue in Whaley’s testimony is that he is changing from being initially favorable to a CE 162 identification to shifting over to favoring CE 163, as a closer match to the color and shade of the gray jacket and pants Whaley remembered Oswald had.

Whaley is not saying Oswald wore *both* jackets; he is addressing the issue of *which one* (between the two choices he sees, neither of which is actually correct).

Whaley is *not* solving the issue by saying “both”; he is choosing. He is *favoring* CE 163 *over* CE 162 as more likely to have been the jacket of Oswald Whaley saw. Notice the difference the placing of a comma makes in transcription:

“... he had this coat here [CE 163] on over that other jacket [CE 162], I am sure, sir”

→ “... **he had *this* coat here on [CE 163],** over [more likely than] that *other* jacket [CE 162], *I am sure, sir*”

“He had this coat here on (CE 163)” becomes the actual sense Whaley meant. The “over” is idiom for “*more likely*”, as in favoring one thing *over* another. Whaley was saying it *was* CE 163, it *wasn't* 162, and he meant *only one jacket*.

Similarly, consider a pronoun missed by the transcriber of Whaley in rapid speech:

“*I told you* about the shirt being open, **he had on the two jackets with the open shirt**”

→ (*) “*I told you* about the shirt being open, **he had on {one of}** the two jackets with the open shirt”

→ (*) “*I told you* about the shirt being open, **he had on {e of}** the two jackets with the open shirt”

Whaley says to Mr. Ball, “I told you” before, alluding to some preinterview, in which Warren Commission counsels would first privately find out what witnesses were going to say, before deciding what questions to ask those witnesses on the record.

Whaley did *not* tell Mr. Ball or anyone in preinterview about Oswald wearing *two jackets*. There is no record of that, no record of Whaley being questioned about that previously, no reference to him saying that before. Therefore when Whaley alludes to some off-the-record preinterview with Mr. Ball he is alluding to something he has been saying all along and commonplace, not unusual. Whaley understood at all times only *one* jacket was worn by Oswald which is what Whaley *always* said *before and after* his Warren Commission testimony.

Whaley is not consistent in every detail through his months of recurring testimonies. But apart from going from gray to light blue and back to gray again on the color of the jacket and pants, for the most part Whaley is consistent, more so than he has often been credited.

Whaley *never previously* spoke of Oswald wearing two jackets at once and he was *not doing so now*. That makes *no sense*. The only reason Whaley was discussing two jackets is he has been shown two candidates and the issue was which one. (The true answer being “neither”). Here is Whaley’s testimony with interpretive comments in parentheses:

Mr. WHALEY. **That jacket** (*the Tippit killer’s nearly white CE 162*) now it might have been clean[ed] (*it looks so light in tone, was that because it has been cleaned?*), but the jacket he had on (*the gray jacket*) **looked more the color**, you know **like a uniform set** (*matching to the gray pants in color*), but he had **this coat here on** (*he had on CE 163*) over (*more likely wearing it than*) that other jacket (*CE 162*), I am sure, sir (*I am sure CE 163 is more likely than CE 162 to have been what Oswald was wearing, sir*).

Comparison between Whaley and Linnie Mae Randle concerning choices for identification of Oswald’s gray jacket

To recapitulate for emphasis: Whaley’s Warren Commission testimony has been read as if Whaley was saying something completely nonsensical—that Oswald wore the blue coat CE 163 over CE 162—wore both jackets at once.

But that attributed to Whaley is so nonsensical and out of keeping with everything else Whaley said that it is unlikely Whaley said it. It is more likely that there were minor errors in transcription than that Whaley claimed Oswald wore two jackets at the same time. It makes *no sense* that Whaley would say that. Whaley *never said that anywhere else*. All Whaley ever told from start to finish was Oswald wearing *one* jacket of the same color as his gray pants, and *one* shirt.

When Whaley’s words are examined closely, he is contrasting CE 163 *against* CE 162, saying it was more likely that Oswald’s jacket in the cab had been CE 163 than CE 162.

It is reminiscent of the choice Mr. Ball put to Linnie Mae Randle concerning the gray jacket Linnie Mae said she had seen Oswald wearing that morning. Mr. Ball forced

Linnie Mae to choose whether CE 162 (off-white light tan) or CE 163 (blue) was closer to the gray jacket she had seen on Oswald.

Linnie Mae's answer was parallel to Whaley's in making the same choice between the same two alternatives. Each chose CE 163 over CE 162 as the less dissimilar of the two to the gray jacket of Oswald.

Linnie Mae said CE 162 was *not* the gray jacket she saw on Oswald because, she said, Oswald's jacket was *gray* (meaning Linnie Mae did not regard the near-white CE 162 as gray). *Between the two* choices (both incorrect) Linnie Mae answered that CE 163 looked closer to the gray jacket of Oswald than did CE 162. It was the same with Whaley. Just as Linnie Mae Randle, Whaley realized CE 162 was too light to have been Oswald's gray jacket which was a medium gray.

Whaley's explanation of why he favored CE 163 over CE 162 (even though CE 163 also was not accurate) has been represented as if Whaley claimed Oswald wore both at the same time. Not so! That claim of Whaley never happened! That idea of Whaley's testimony should be put to rest.

A postscript on the maroon shirt CE 151

Pat Speer's "Threads of Evidence" gives a fuller account of the identification of CE 151 as the shirt Oswald wore the morning of Nov 22. In 2016 Speer obtained a first-ever color photo of CE 151 from the National Archives, now published on his website, showing that CE 151 indeed is maroon or reddish in color, the shirt Oswald wore that morning. Speer summarizes:

"... I couldn't get over that Oswald said the shirt was '*reddish*' [that he wore the morning of Nov 22] and that a '*red and gray sport shirt*' later disappeared from the records. This felt significant to me ... Perhaps CE 151 was the de facto '*reddish*' shirt ... In July 2016, after months of haggling, I was able to obtain color photos of CE 151 from the National Archives, and was able to establish that this shirt, previously described [by Dallas Police and the Warren Commission] as being tan or brown, had a red tint to it, and was undoubtedly the '*reddish*' shirt Oswald claimed to have worn to work on November 22, 1963." (<https://www.patspeer.com/chapter-4b-threads-of-evidence>)

Note how often witnesses speak of a "*light*" color of Oswald's shirt the morning of Nov 22, 1963, which agrees with the maroon of CE 151 but does not agree with the dark brown arrest shirt CE 150 which is *never* called "light" in color.

(The maroon CE 151 is called both light and dark by witnesses, but the brown CE 150 is *only* called dark in color, *never* light, by witnesses. From the color photos of the shirts it can be seen why the brown CE 150 would never be called “light” by a witness, whereas the lighter-toned maroon or understated soft pale-reddish of CE 151 is naturally and easily called a “light” or “lighter” color.)

Each of these witnesses below is describing Oswald’s shirt the morning of Nov 22, 1963 before Oswald changed clothes at 1 pm:

- Linnie Mae Randle: “a solid color *and light*”.
- Texas School Book Depository supervisor Roy Truly: “a *light* colored shirt”.
- Texas School Book Depository employee James Jarman when asked what kind of shirt Lee wore Nov 22: “*Ivy leagues, I believe*” (CE 151 was button-down with a designer label, a dress shirt, compared to CE 150 which was a low-cost dark brown sport shirt, not designer label, not dress or button-down).
- Officer Marrion Baker: “*light* brown” (agrees with the *maroon* CE 151 as opposed to the *dark* brown CE 150; and did Marrion Baker have red-green color blindness?).
- Officer Marrion Baker comparing what he saw Oswald wearing at the police station (CE 150) with Oswald in the second floor lunchroom: “*He looked like he did not have the same on*”.
- Housekeeper Earlene Roberts (FBI, Nov 27), “a *light* colored shirt”.
- FBI agent James Bookhout (5 CE 100): “[Oswald] stated that after arriving at his apartment he changed his shirt and trousers, because they were dirty. He described his dirty clothes as being a **reddish colored, long sleeved shirt with a button-down collar** and gray colored trousers.”
- Secret Service agent Thomas Kelley (87 CD 375): “He said he went home, changed his trousers and shirt, put his shirt in a drawer. *This was a red shirt*, and he put it in his dirty clothes. He described his shirt as having a *button down collar* and of *reddish* color. The trousers were gray colored.”
- Captain J.W. Fritz, Dallas Police Department, from handwritten notes of his interrogations of Oswald acquired by the Assassination Records Review Board in 1997 from an anonymous donor: “*at Apt. changed shirt + tr. put in dirty clothes – longsleeve red sh + gray tr.*”
- Buell Wesley Frazier: “As [Buell Wesley] Frazier recalls [on Thursday Nov 21, in the ride to Irving], **Oswald was wearing a reddish shirt and a gray jacket, waist length**” (FBI, Dec 1, 1963 [7 CD 294]).

Oswald at his rooming house on North Beckley

Oswald gave Whaley an address on N. Beckley in Oak Cliff that would take the cab several blocks beyond Oswald's rooming house. He told Whaley he wanted to go to the 500 block of N. Beckley which was south (beyond) the rooming house at 1026 N. Beckley. Before Whaley had gotten to the block requested, at about the 700 block, Oswald told him that was far enough, to let him off there.

Oswald paid Whaley \$1.00 for a \$0.95 cab fare with a nickel tip (Whaley remembered the cheap tip of Oswald), got out of the cab, crossed the street, and may have intentionally let Whaley see him walking *south* in the opposite direction from his rooming house until Whaley was out of sight, after which Oswald reversed direction and walked north to his rooming house.

Lee entered the rooming house *with no jacket*, according to housekeeper Earlene Roberts who saw him arrive at about 1 pm and go to his room, then leave maybe three or four minutes later zipping up a jacket on his way out, in a hurry going both ways, not stopping for any conversation.

What happened to Oswald's gray jacket?

The gray jacket worn by Oswald that morning went with him when he left the Texas School Book Depository, with him on the bus and with him in the cab. But Oswald did *not* have it when he entered the rooming house, according to Earlene Roberts.

As previously noted, Oswald was in a mode of feint and deception in his movements starting from the time of the shots that killed President Kennedy, attempting to make himself hard to track.

The gray jacket of Oswald itself was old and had at least one hole in the right elbow, likely in worse shape than when it was photographed in Minsk from use since then. Therefore it was no great loss that Oswald would toss it, dispose of it, as the evidence indicates Oswald did at some point after leaving Whaley's cab on N. Beckley but before he entered the rooming house several blocks north on Beckley.

What became of Oswald's gray jacket is not known, but Oswald's disposal of it occurred sometime just before 1 pm on Nov 22, 1963, in the vicinity of the 1000s-700s blocks of N. Beckley. It is possible it could have been found at some later point by some private party unaware that it had been Oswald's. If Oswald tossed it inside a bush invisible to external view it is possible it might never have been found.

Earlene Roberts

From an FBI interview of Earlene Roberts of Nov 27, 1963:

“She stated that on November 22, 1963, Oswald entered the house some time about 1:00 p.m. at which time he was **wearing a light colored shirt** either short sleeved or with the sleeves rolled up, dark pants **and no jacket**. ... Oswald entered the house, went into his room and left again, staying in the house no longer than four or five minutes. On entering and leaving the house he passed through the living room but did not stop to look at television and said nothing to Mrs. Roberts. He was very hurried and as he left, Mrs. Roberts said something to the effect that he was in a terrible hurry. Oswald made no reply. She stated she cannot definitely recall what he was wearing as he left but that she remembers he was **putting on a jacket and zipping it up the front** as he left the house.” (FBI, Nov 27, 1963, <https://www.maryferrell.org/showDoc.html?docId=233488#relPageId=5>)

From a signed affidavit of Earlene Roberts of Dec 5, 1963 for the Warren Commission:

“**Oswald did not have a jacket when he came in to the house** and I don’t recall what type of clothing he was wearing. Oswald went to his room and was only there a few minutes before coming out. I noticed **he had a jacket he was putting on. I recall the jacket was a dark color** and it was the type that zips up the front. He was zipping the jacket up as he left. Oswald went out the front door. A moment later I looked out the window. I saw Lee Oswald standing on the curb at the bus stop just to the right [*northbound, looking as if going in the opposite direction of the Texas Theatre to the south*], and on the same side of the street as our house. I just glanced out the window that once. I don’t know how long Lee Oswald stood at the curb nor did I see which direction he went when he left there.” (Earlene Roberts, affidavit, Dec 5, 1963, <https://www.maryferrell.org/showDoc.html?docId=41#relPageId=449>)

In her later Warren Commission testimony, when shown the Tippit killer’s near-white light tan jacket CE 162, Earlene objected that the jacket she saw Oswald zipping up on his way out was darker than CE 162.

Mr. BALL. I’ll show you this jacket which is Commission Exhibit 162—have you ever seen this jacket before?

Mrs. ROBERTS. Well, maybe I have, but **I don’t remember it**. It seems like

the one he put on was darker than that. Now, I won't be sure, because I really don't know, but is that a zipper jacket?

Mr. BALL. Yes—it has a zipper down the front.

Mrs. ROBERTS. Well, maybe it was.

Mr. BALL. It was a zippered jacket, was it?

Mrs. ROBERTS. Yes; it was a zipper jacket. How come me to remember it, he was zipping it up as he went out the door.

(The “how come me to remember it” in the last line above is *sic*, what the transcript reads. Probably what Earlene said was “How {it} come {to} me to remember it...”)

All of the above is to say, *after* Oswald entered the rooming house *not* wearing the gray jacket he had worn that morning and as recently as the cab before discarding it, Oswald *now* went to his room, changed his clothes and picked up his *other* jacket—the *only other jacket he had*, according to Marina, the only jacket *it could be*—his *blue jacket or coat*, CE 163.

That the jacket was the blue CE 163 is confirmed by housekeeper Earlene Roberts in her description that it was “*a dark color*”, which *agrees with* CE 163—whereas that is *not* a description *at all* of the near-white CE 162.

Oswald left his rooming house in Oak Cliff wearing CE 163 *after* he *abandoned* his *gray* jacket before he came in the front door of the rooming house. Earlene saw Oswald leave in a *dark* jacket or coat (*not* the *nearly white* Tippit killer's CE 162). That *dark* jacket or coat seen by Earlene was *CE 163*.

The Warren Commission wrongly set forth to the world that Oswald left the rooming house wearing the near-white light tan CE 162 which the FBI and Warren Commission deliberately mischaracterized as gray in color.

What color did Earlene Roberts see in Oswald's jacket?

Earlene Roberts was not asked the color of Oswald's jacket in her Warren Commission testimony. That is somewhat of an obvious question one might think would be asked of Earlene Roberts in her testimony, but she was not asked. When she was shown CE 162 (the Tippit killer's near-white jacket), hoping for an identification, Earlene did not give the desired identification and instead objected that she thought Oswald's jacket had been “darker than that”.

Going earlier, we have seen Earlene’s Dec 5 signed affidavit explicitly stating a “*dark*” color of the jacket she saw. Not a slightly *less-light* shade of the near-white CE 162. But “*dark*”, unqualified full-stop adjective—an adjective which *does not* apply to, *cannot* apply to, and which other witnesses *did not apply to*, CE 162.

However it may be objected that in early media reporting, starting from the day of the assassination, Earlene Roberts said Oswald’s jacket was gray in color, not blue.

“[A]nd he [Oswald] come in and got a **short gray coat** and went right on back out in a hurry” (Earlene Roberts, KLIF-Radio interview, Nov 22, 1963, <https://soundcloud.com/beauweaver/the-fateful-hours-klif-dallas> at 26:38).

“He just ran in his room, got a **short tan coat** and ran back out” (Earlene Roberts quoted in the *Dallas Morning News*, Nov 28, 1963, based on an interview of Earlene Roberts of Fri Nov 22 by reporter Hugh Aynesworth [Aynesworth, *Breaking the News*, 2003, 67, photo of the newspaper article at p. 73]. The “short tan coat” from the Aynesworth story is repeated in a *Detroit Free Press* article of Dec 1963, <https://www.maryferrell.org/showDoc.html?docId=60418#relPageId=62>).

“He ran to his room, came running back with a **gray zipper[ed] jacket** and out the door” (UPI wire service story, source Earlene Roberts, Nov 23, 1963 [cited Myers’ blog 11/22/17])

The second of the three items above, the *Dallas Morning News* quote from a Hugh Aynesworth story, reporting Earlene as saying “tan”, is dissonant. It differs from all other known reportings of Earlene’s words. In light of the hearsay nature of newspaper quotations and lack of other corroboration that Earlene said that, it must be questioned whether that is accurate (that is, accurately from Earlene), as opposed to influenced by early descriptions of the color of the Tippit killer’s jacket contaminating reporting of descriptions of the color of the jacket of Oswald leaving the rooming house.

(The reporter, Aynesworth, the apparent sole source of a “tan” color attributed to Earlene Roberts for the color of Oswald’s jacket, has a deep track record of covert assistance to intelligence agencies concerning JFK assassination reporting matters, as brought out in documents on the Mary Ferrell Foundation site. Because of a lack of any known corroboration that Earlene Roberts ever named a “tan” color for the Oswald jacket, and because the “tan” color appears too coincidental with early intent to identify Oswald’s jacket as the CE 162 Tippit killer’s jacket—which is an off-white

light tan and was being so reported as that color by witnesses of the Tippit killer—this study concludes this sole claim of a “tan” color description attributed to Earlene Roberts is to be rejected as not credible, at minimum insubstantial and at worst a possibly wilful error, in a major in-depth feature article of Aynesworth Nov 28, 1963 picked up nationwide.)

There has separately been circulated a different erroneous claim that Earlene said that Oswald got “a *short white coat* and went on back out in a hurry” (<http://jfk.hood.edu/Collection/White Materials/Warren Commission-Subject/Description.doc>). That is without any basis whatsoever. It stems from a mishearing or misreporting of Earlene’s words at about 26:38 in the KLIF-Radio interview of “a short gray coat”. I have personally verified Earlene said “short *gray* coat”, not “short white coat” there.

But it *is* verified from the KLIF-Radio interview, in Earlene’s own voice, that Earlene Roberts said “*gray*” as the color, and said that on the same day she saw Oswald leave her house with the jacket. That is about as early and as basic as it gets with respect to Earlene’s witness, the only witness who saw Oswald’s jacket as he left the rooming house that day.

Furthermore, there is no confirmed evidence Earlene ever said the color was any other than “dark” or “gray”, just those two words. Earlene Roberts has been portrayed as giving conflicting and contradictory color portrayals when that is not true. The effect has been to discredit Earlene as not credible in any claim she made concerning the color. But the notion of Earlene as contradictory and all over the map on the color of Oswald’s jacket is not true.

In fact Earlene’s color description of Oswald’s jacket was consistent, consisting of only two words: “dark” and “gray”. There is no other color word verifiably said by Earlene in description of the jacket of Oswald she saw on Fri Nov 22.

Neither of those color descriptions that *actually come from Earlene* are consistent with CE 162.

But what is the meaning of Earlene’s description for *CE 163*? How can Oswald’s jacket have been the blue CE 163, when Earlene *never* said “blue” but *only* said “*dark*” and “*gray*”?

Earlene Roberts and the “gray” color of Oswald’s jacket

The \$64,000 question is: on the assumption that the “gray” color of the jacket was an early, honest description of Earlene (as it surely was), is that *evidence establishing*—does it *give weight to*—a conclusion that the color of Oswald’s jacket as he went out the door of the rooming house was *not blue*, and the jacket *not CE 163*?

And the answer, surprisingly, is “no”, not if Earlene Roberts had yellow-blue colorblindness.

“People with **yellow-blue colorblindness** often see **shades of blue as gray**” (https://www.reddit.com/r/ColorBlind/comments/iztxq8/mistake_blue_for_grey/).

Diabetes Type 2, adult onset diabetes, the most common type of diabetes, is linked to colorblindness:

“The study [of Tan et al.] ... revealed that **colour blindness affects 22.3 percent of people with type 2 diabetes**. Those who have had the disease for six years or more have a higher incidence of colour blindness. The risk increases each year that patients suffer from the condition ... It was also found that **people with poorer vision are more prone to this eye problem**.” (<https://www.healthhub.sg/a-z/diseases-and-conditions/726/How-Colour-Blindness-is-Linked-to-Type-2-Diabetes>)

The study was published in 2017 in *BMC Endocrine Disorders* (<https://pubmed.ncbi.nlm.nih.gov/28577364/>). According to the abstract, of the 22% overall percentage of type 2 diabetics with color-blindness, “impaired color vision was associated with **older patients**”, and “**impaired blue-yellow** color-vision (Tritanomaly) was the **commonest** impaired color vision”.

Earlene Roberts, age 58 at the time, was diabetic.

“Mrs. Roberts explained she has diabetes and is afraid to leave Dallas and be away from her doctor. She said she has been in a diabetic coma on two occasions.” (FBI interview of Earlene Roberts, June 8, 1964, (<https://www.maryferrell.org/showDoc.html?docId=1142#relPageId=543>))

The study cited above says the already-significant incidence of color blindness for diabetes type 2 patients is escalated still further in diabetics with poor vision. From her Warren Commission testimony:

Mrs. ROBERTS. Well, you know, I can't see too good how to read. I'm completely blind in my right eye.

These facts suggest that on medical grounds Earlene Roberts may have been physiologically incapable of seeing the blue of CE 163.

What others would see as “blue”, Earlene, from color-blindness, may have been unable to see as other than “gray”, in agreement with the only color Earlene Roberts ever claimed for the jacket of Oswald, even though CE 163 in fact is blue (or as Mr. Ball of the Warren Commission called CE 163, “blue-gray”).

Being color-blind may have caused Earlene to see blue as gray, but it would not affect Earlene being able to see whether something was “light” or “dark” *in tone or shade* even if color recognition itself was poor. Earlene while afflicted with color-blindness would still be able to see the difference between “light” and “dark”, and *Earlene said the jacket was “dark”*.

That is, a color-blind person can tell “dark” from “light” in tone, even if the color is not seen as other than a shade of gray. And the early reports of Earlene speaking of a “gray” color for the jacket of Oswald as he went out the door just after 1 pm on Friday are consistent with how Oswald’s blue jacket CE 163 would look to Earlene and how she would tell what she saw to others.

Again, in her own words, when Earlene *was shown* CE 162, the Tippit killer’s nearly-white light tan jacket, Earlene Roberts told the Warren Commission she thought Oswald’s jacket was “*darker than that*” (darker than the off-white CE 162). The early reportings of Earlene saying the jacket was “gray” do not have Earlene saying “*light gray*”.

Earlene never said other than the color was “gray” and “dark”, both consistent with Earlene seeing CE 163 and *not* consistent with Earlene seeing CE 162.

For these reasons the early reportings of Earlene Roberts referring to the color of Oswald’s jacket as “dark” and “gray” are not only fully compatible with the jacket being CE 163, Oswald’s blue coat, but constitute *strong positive witness testimony—positive evidence*—that it was CE 163, and was not CE 162.

Oswald left the rooming house with the only other jacket he now had after disposing of his gray jacket, his blue coat, CE 163.

Why did Earlene on KLIF-Radio call Oswald's jacket a "coat"?

There is a further detail which has gone largely unremarked. In the KLIF-Radio interview of Earlene Roberts of Nov 22, 1963 (<https://soundcloud.com/beauweaver/the-fateful-hours-klif-dallas>), Earlene does not speak of Oswald's "*jacket*" but rather of Oswald's "*coat*". Why is that? This occurs twice in that interview. At 25:42, "a short *coat*". At 26:38, "a short gray *coat*". My transcriptions:

"he rushed in in shirt sleeves and got a short *coat* and went back out... he acted as if he was in a hurry... and I spoke to him and he just ignored me, but that's not unusual, sometimes he'd speak to you and sometimes he didn't..." (25:42f)

"and he come in and got a short gray *coat* and went right on back out in a hurry. And when I looked out the window he was standing at the bus stop..." (26:38f)

Although there is overlap and interchangeability in uses of "jacket" and "coat" in English, the two words are not exactly synonymous. Generally a "coat" *tends* to connote a somewhat heavier or warmer outerwear than a "jacket".

"Coat vs. Jacket: What is the Difference? ...

"[C]oats often provide more warmth and insulation than jackets ... A coat is a warm outer garment worn over top of other clothing meant to protect the wearer from extreme temperatures. Coats often have a hip-length or longer length, though they can also end at the waist ... coats almost always use heavier, more insulating fabric than jackets. This makes them much warmer... A jacket is a kind of outerwear for the upper body that usually ends at the waist or the hips ... provide less warmth than a coat ..." (<https://silverbobbin.com/coat-vs-jacket/>)

Oswald's blue jacket or coat, CE 163, was warmer and heavier than his lighter-weight gray jacket (the gray jacket Oswald ditched for good just before entering the rooming house; the jacket of the Minsk photograph noted earlier).

Compare the way William Whaley, the cab driver, in his Warren Commission testimony unconsciously associated—just from looking at the items—CE 162 as a “jacket” whereas he called the blue CE 163 a “coat”:

Mr. WHALEY. That **jacket [CE 162]** now it might have been clean, but the jacket he had on looked more the color, you know like a uniform set, but he had **this coat here [CE 163]** on over that other **jacket [CE 162]**, I am sure, sir.

Therefore, although due to variability in actual usage this point would not be decisive in itself, when combined with other evidence Earlene’s word choice of “coat” in her KLIF-Radio interview supports that Oswald left the rooming house with CE 163.

At the Texas Theatre

After leaving the rooming house at about 1 pm or a couple minutes after, Oswald intentionally stood at a northbound bus stop where he knew Earlene would look and see him out the front window, a feint to look like he was heading north for Earlene to tell if anyone asked.

But Oswald did not go north. Unknown to Earlene, Oswald made his way across the street and caught a bus going south on N. Beckley to the Texas Theatre on Jefferson Boulevard where he bought a ticket as a paying customer, entered and took a seat in the main level.

Oswald would have bought the ticket from cashier Julia Postal at the front box office, then given it at the door to the ticket-taker that day, general manager John Callahan.

Mrs. POSTAL. ... I worked in the office until they opened the box office at 12:45, and then come down to the box office and worked until 5.

Mr. BALL. When you say worked in **the box office**, is that take tickets?

Mrs. POSTAL. **Sell tickets.**

(...)

Mrs. POSTAL. Now, yes, sir; just about the time we opened, my employer **[John Callahan] had stayed and took the tickets** because we change pictures on Thursday and want to do anything, he—and about this time [ca. 1:35 pm] I heard the sirens—police was racing back and forth.

Time of arrival of Oswald to the Texas Theatre

Cashier Julia Postal may have sold a ticket to Oswald on Nov 22 before the killer of Tippit entered the theater without buying a ticket and went into the balcony at about 1:35 pm. An assistant district attorney for Dallas County said the district attorney's office was not certain Julia Postal had not sold Oswald a ticket, based on her being upset when asked. A researcher reported that Texas Theatre usher Warren Burroughs told him Julia Postal privately knew she had sold Oswald a ticket. Another researcher reported an interview of Julia Postal in which when asked if she had sold a ticket to Oswald, she had burst into tears (<https://www.maryferrell.org/showDoc.html?docId=48700#relPageId=6>).

General manager Callahan, the ticket-taker, was not called to testify before the Warren Commission nor is there any record he ever was asked or denied that he had taken a ticket from Oswald.

Usher Burroughs was adamant that Oswald had entered the theater before the first movie started at 1:20 pm, and that the man who went into the balcony at 1:35 pm was a second, different person than Oswald who was already there.

(“In a 1987 interview with this author, Burroughs ... reiterated his story of someone slipping in the theater about 1:35 p.m. that day. However, Burroughs claimed that it could not have been Oswald because Oswald entered the theater shortly after 1 p.m. ... He said several minutes later, about 1:15 p.m., the man later arrested by police and identified as Oswald came to his concession stand and bought some popcorn ... About twenty minutes after this, the outside doors opened and Johnny Brewer arrived” [Marrs, *Crossfire*, 2013, 1st edn 1989, 342-43; cf. Douglass, *JFK and the Unspeakable*, 2008, 291-92].)

Theater patron Jack Davis said Oswald sat next to him briefly during the opening credits of the movie before the movie started at 1:20.

(“Davis told this author that on the day of the assassination ... a few minutes past the 1 p.m. starting time for the feature movie ... he was somewhat startled by a man who squeezed past him and sat down in the seat next to him ... in a nine-hundred-seat theater with fewer than twenty patrons in it ... Twenty minutes or so after this incident, according to Davis, the house lights came on ... ‘A few minutes later the police brought out this same man who had sat down next to me ... Later, of course, I learned that this was Lee Harvey Oswald” [Marrs, *Crossfire*, 343; cf. <https://emuseum.jfk.org/objects/21494>].)

Theatre patron George Applin said Oswald “was actually sitting in the theater when I came in”, which was before the movie started at 1:20. (See below.)

This is to say, *three out of the only four known, named theater employee or patron witnesses inside the main seating section of the Texas Theatre in a position to know* said Oswald *was seated in the theater at the start of the movie at 1:20, before the arrival of the Tippit killer into the balcony at 1:35 pm* (Davis, Burroughs, Applin). And the *fourth* (Gibson) did not say any differently (“Mr. Ball. Had you paid any attention to other people who had come in the theatre before the lights came on? Mr. Gibson. No...where he [the arrested Oswald] come from I don’t know”). A fifth, unnamed, witness (see below) also did not say any differently.

That is the known witness evidence concerning Oswald inside the Texas Theatre prior to the arrest. These combined witnesses give a different picture than Johnny Brewer’s identification of Oswald as the man Brewer saw go by his store and into the Theatre at 1:35 pm. The testimonies of the witnesses inside the Texas Theatre say those were two different persons, that the man who ran into the Theatre at 1:35 pm—the killer of Tippit—was a different person than Oswald.

No further theater patrons inside the Texas Theatre that day other than the five just noted were ever interviewed or questioned or came forward. Not even their names are known.

That is because although all of their names and contact information were taken down in writing at the Theatre by Dallas Police officers, for that purpose, all of those names and contact information went missing before any could be contacted.

“I don’t recall whether I turned the list of names in or not”, said Lieutenant Cunningham, the last known to have had the list (in Sneed, *No More Silence*, 1998, 266), who by coincidence also said he “knew Jack Ruby probably as well as any officer in Dallas” (*No More Silence*, 278).

Cunningham explained he did not think it mattered if he destroyed knowledge of identities and ability to contact those witnesses for history, because he had spoken a few moments to “the dozen or so people in the theater” that afternoon, without preserving any notes, and “there was nothing there in light of useful information” in any of them (*No More Silence*, 266).

Texas Theatre witness George Applin: "he [Oswald] was actually sitting in the theater when I came in"

The following is from typed interview notes dated Nov 27, 1978 and Dec 2, 1978, identified as statements of Texas Theatre witness George Applin, apparently written by *Dallas Morning News* reporter Earl Golz (based on a stamp in the upper left corner reading "Assassination Archive. Gift of Earl Golz. Date 12/30/86"). Here is Applin according to these typed notes:

"Big, heavysset plainclothes officer with a cowboy hat on asked' Oswald, "Did you kill him." It look[ed] like he was trying to knock a home run through his back,' Applin says he told Warren Commission attorney or police officers. 'No, he (Oswald) didn't yell police brutality. What I said is what he said. The officer asked him why he shot the president, why he killed the president or shoot the president. And he said, "Hell, I ain't shot nobody." (. . .)

"They had me, the guy that made the introduction [*sic*—information?] when Oswald walked into the theater—And what I would like to know is how in the heck he [*sic*—they?] knew how suspicious he looked here. **Because he was actually sitting in the theater when I came in.** Because I never did see him walk past me to sit down in front of me. (When you came in Oswald was already there?) I believe so because I never did see anybody walk down in front of me." (<https://reopenkennedycase.forumotion.net/t371-suspect-behind-the-texas-theatre>; <https://servimg.com/view/19524087/1470> [with thanks to Mick Purdy for calling these notes to attention])

As brought out in his Warren Commission testimony, Applin was working in Dallas and had a day off on Fri Nov 22. Finding himself in Oak Cliff at around noon, he decided to see the movie *War is Hell* at the Texas Theatre which started at 1:20. He told of waiting in his car listening to his car radio until "the show opened".

Mr. BALL. What did you do? Go to the picture show?

Mr. APPLIN. Yes, sir; I did.

Mr. BALL. What time of day did you go there?

Mr. APPLIN. Well, actually, I went to—I was over in Oak Cliff, around about, I guess, about 12 o'clock, I imagine is what time it was. I was there and the show hadn't opened up, so, I was sitting in my car listening to the radio up until the time that the show opened.

Mr. BALL. You went in the show when it opened?

Mr. APPLIN. Yes, sir.

Mr. BALL. Paid your way?

Mr. APPLIN. Yes, sir.

Mr. BALL. And where did you take your seat? What part of the theatre?

Mr. APPLIN. About six rows down, I got in the middle aisle, about the middle of the chairs.

Mr. BALL. Middle aisle, six rows from the rear?

Mr. APPLIN. Yes, sir.

Mr. BALL. And you were how far from the middle aisle into the row of seats?

Mr. APPLIN. Well, about—seemed quite a little while since I thought about this. I guess I was about four or five seats over from the aisle.

Mr. BALL. From the aisle. Now, did something happen there during that showing of that picture that you remember?

Mr. APPLIN. Well, I know this much, Audie Murphy introduced the picture.

In this testimony, Mr. Ball's questions and Applin's answers have it sound as if Applin entered the theater at 12:45, which is earlier than Oswald could have been there since Oswald did not leave the rooming house to go to the theater until around 1 pm.

But Applin may not have entered the Theatre the moment the doors opened at 12:45. His answers can be read as saying he waited to go into the theater until sometime after it opened (sometime after 12:45), in time to see the movie which actually started at 1:20.

Referring to waiting "until the show...opened up" could be idiom for waiting until sometime when that was possible in time for the movie, that is sometime between 12:45 and 1:20.

I have sat in cars listening to the radio while waiting to attend events. I have not always gone inside the instant the doors opened if there was a significant amount of time still to wait, even though I could have, if I was comfortable listening to the radio in a car.

The blue coat inside the Texas Theatre

Since Oswald left the rooming house wearing his blue coat (CE 163), it will have entered the Texas Theatre with him when he bought a ticket and entered the theater.

However, when Oswald was arrested at about 1:50 pm he was not wearing a jacket or coat, and there is no report of a jacket or coat in the seat next to him.

That Oswald would not be wearing a coat in the theater at the time of his arrest despite having left the rooming house wearing a coat is not unusual. Inside a warm theater most people take off their wraps.

The question is a different one: what became of the blue jacket or coat, CE 163, after Oswald would have taken it off inside the theater? It was not in the seat next to him. Where was it then?

A possible witness to Oswald wearing CE 163 inside the Texas Theatre

There may be a heretofore-unrecognized witness who saw Oswald wearing the blue CE 163 jacket in the Texas Theatre before he took it off. This is again from George Applin according to the typed interview notes of Earl Golz. Applin:

“I was in the third aisle setting about seven rows down. Almost in the middle section. I seen his face. And there was just nothing about it. **I believe he was wearing a suit ... it was a dark suit. I know that much. What color a dark—it could have been gray or it could have been light blue.**”

(<https://reopenkennedycase.forumotion.net/t371-suspect-behind-the-texas-theatre>)

Oswald was not wearing a suit, but maybe a suit jacket was what Applin thought he saw on Oswald in a dim theater at some point before Oswald’s arrest. Perhaps a blue CE 163 zipped up halfway in the darkness could look to Applin like a suit jacket that was “dark ... gray or it could have been light blue”.

What became of Oswald’s blue coat in the theater?

In light of Oswald’s evasive behavior to this point, the lack of a jacket in the seat next to Oswald when he was arrested is best interpreted as Oswald intentionally disassociated himself from it after he entered the theater—a continuation of evasive actions up to that point.

He might do so in this way. Witnesses inside the theater saw Oswald moving to several seating places sitting next to strangers. On one of those moves he would take off the blue jacket and set it next to his seat. When he moved to his next seat he might intentionally leave the blue coat on the previous adjoining seat instead of taking it with him, so as not to have it associated with him in case he was tracked to the theater, while at the same time preserving the option to retrieve it on his way out of the theater.

It is not that the blue jacket or coat would have been concealed. It would be on a seat in the open, just perhaps not obviously connected to Oswald when it was found.

There is no police record of a blue jacket found in the theater that day. But if an unattended jacket was noticed by an officer after Oswald's arrest, it is not obvious that it would be reported or logged in as evidence.

Case in point: there is a witness account that a knife was found by Dallas Police officers in the Texas Theatre, minutes after Oswald's arrest, in the area where Oswald had been seated. The witness was an unnamed ninth-grader who with a school friend was in the theater that day, seated at the back on the main ground level seating area. They witnessed the arrest of Oswald only a couple of rows of seats away and the aftermath. From this witness's account:

“Police at this time were searching the area around the seat [Oswald] was sitting in. They found a switchblade knife (. . .) we had come back from the managers office to the theater area, and an officer was looking down the aisle where Oswald had been sitting. He bent over and picked up a knife and showed it to another officer standing a few feet away. That officer said, “That’s where he was. Must be his.” (page 8 at [http://jfk.hood.edu/Collection/Weisberg/Subject Index Files/F Disk/Fensterwald Bernard 1990/Item 004.pdf](http://jfk.hood.edu/Collection/Weisberg/Subject%20Index%20Files/F%20Disk/Fensterwald%20Bernard%201990/Item%20004.pdf))

There is no record of that knife reported or logged in as evidence. Similarly it is not obvious a blue coat or jacket elsewhere in the theater would have been reported as part of the Oswald arrest.

When Oswald was taken away, the blue jacket would be left behind in the theater at the same place Oswald had left it, and found at some point that afternoon. The jacket might be referred to general manager Callahan, like a lost and found item.

Perhaps there was a courtesy phone call from Callahan to the Dallas Police a day or so later, informing them of the jacket found the day of Oswald's arrest, mentioning it was found in an area Oswald could have been sitting, and asking what Dallas Police wished him to do and if they wanted the jacket.

The Dallas Police receiving such a call might or might not decline to take possession of it themselves but in either case would refer the matter to the FBI. As an immediate response Callahan might be asked to keep the jacket for another week or so to see if anyone would show up to claim it, perhaps suggesting discretion in not spreading talk

about it so as not to inflame unnecessary rumors in the press. But no one turned up to claim it.

The FBI then arranged to have the jacket found at the Texas School Book Depository and turned over to the FBI, as a preferable location for the jacket to be found in case it was Oswald's.

The blue jacket (CE 163) turns up in the Texas School Book Depository

Oswald's blue jacket *did* later turn up, which is why it is known and photographed and exists today. A blue jacket was turned in to the FBI on Dec 17, 1963, by Roy Truly, Superintendent of the Texas School Book Depository, with Truly explaining that the blue jacket had been found just the day before (Dec 16), three weeks after the assassination, in the course of cleaning in the first-floor "domino room" used by employees.

"Mr. R. S. Truly, Superintendent, Texas School Book Depository (TSBD), advised that on approximately December 16, 1963, a room adjoining the shipping room on the first floor of the TSBD Building was being cleaned and articles in there were being removed. He said that this room has been utilized by various employees who would leave articles of clothing as well as other articles from time to time in the room. He said that some of the colored men eat lunch in this room and play dominoes there. He said that in the course of this room being cleaned up a blue jacket with gray quilted lining and zipper front was located and that it was not claimed by any of the employees who have access to the room. He said that in view of this it was his thought that perhaps this jacket belonged to Lee Harvey Oswald who was an employee of the TSBD as of the time of the assassination of President Kennedy in front of this building on November 22, 1963." (FBI, Dec 17, 1963, <https://www.maryferrell.org/showDoc.html?docId=57742#relPageId=19>)

(Here is a photo of the window sill in the Domino Room where CE 163 was found: <https://www.maryferrell.org/showDoc.html?docId=1137#relPageId=355>.)

Three months later, on March 7, 1964, interviewed again, Truly said the jacket had been brought to him only three or four days after the assassination, by an employee whose name Truly could not remember or identify, not said to have been in the course of cleaning.

“Roy S. Truly, Superintendent, Texas School Book Depository Building, advised that a jacket believed to be the property of Lee Harvey Oswald was brought to him three or four days after November 22, 1963, by one of the company’s employees whose name Truly could not recall. He did recall that this employee told him the jacket had been found on a window ledge in the employees’ recreation room, which is located in the northeast corner of the building on the first floor. . . . Mr. Truly stated he subsequently turned the jacket over to an FBI agent.” (FBI, March 7, 1964, <https://www.maryferrell.org/showDoc.html?docId=11133#relPageId=261>)

The employee who found it was Frankie Kaiser. He claimed someone unidentified told him it was Oswald’s jacket—someone who seemed to *know* it was Oswald’s jacket. (Is it possible Kaiser’s unidentified source was Truly himself?)

Mr. KAISER. I just found the coat there—I **didn’t even know it was his [Oswald’s] until somebody told me it was**. I thought they were kidding.

Mr. BALL. This is Commission Exhibit 163—do you recognize that blue jacket?

Mr. KAISER. That’s the one I found.

Mr. BALL. Where did you find it—tell me first.

Mr. KAISER. It was in the window sill.

Mr. BALL. In what room?

Mr. KAISER. In the domino room.

Mr. BALL. Now, I show you a picture, No. 17, this is marked—does this show the window?

Mr. KAISER. Right down in here.

Mr. BALL. There is a jacket showing in that window, is that where the jacket was found?

Mr. KAISER. Yes, sir; but it was laying behind this in the window.

Mr. BALL. It wasn’t found in the position of the jacket shown in the picture?

Mr. KAISER. No; it sure wasn’t.

Mr. BALL. But was it the same window?

Mr. KAISER. Yes.

Mr. Ball did not ask Kaiser further concerning who had informed Kaiser who seemed to know it was Oswald’s jacket, and how they came to that knowledge—recall this was prior to the FBI showing it to Marina and FBI lab analysis. Who was that mystery person *and what was their basis for knowing that* (which turned out to be correct)? Mr. Ball does not try to find out.

On Dec 20, 1963 that blue jacket, CE 163, was shown to Marina, and Marina identified it as Lee's blue jacket

(<https://www.maryferrell.org/showDoc.html?docId=96524#relPageId=53>).

(And does this photograph show Lee Harvey Oswald wearing CE 163 in Minsk, Belarus, in 1960 or 1961?:

<https://www.gettyimages.com/collaboration/boards/wWSS039DyUGbcrubRZiqEg>)

The identification of CE 163 as the blue jacket of Oswald is not disputed. It is the provenance of the find which demands closer scrutiny.

For not one of Lee's fellow coworkers at the Book Depository could be found remembering having seen him wear that blue jacket or coat (and does that not support that the unnamed source of Frankie Kaiser who knew, may not have been a fellow coworker?). The FBI's failure to find a coworker of Lee who had seen Lee wear CE 163 at work was confirmed by Truly:

“Truly said that he had been unable to ascertain through inquiry among employees that this was Oswald's jacket or that anyone had specifically observed Oswald wearing it.” (FBI, Dec 17, 1963

[<https://www.maryferrell.org/showDoc.html?docId=57742#relPageId=19>])

This is a surprising piece of information, that a jacket or coat of Oswald would be found *at his workplace* (three weeks later), but *nobody who worked with Oswald at his workplace* could remember ever seeing him wear it. For example, Buell Wesley Frazier:

Mr. BALL. I have here Commission's 163, a gray blue jacket. Do you recognize this jacket?

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

Mr. BALL. Did you ever see Lee Oswald wear this jacket?

Mr. FRAZIER. No, sir; I don't believe I have.

All of this leads to the reconstruction conclusion: that that blue jacket or coat of Oswald's, CE 163, *had been found at the Texas Theatre in Oak Cliff on Nov 22, 1963 and was relocated to the Texas School Book Depository to be "found" there three weeks later.*

The impact of the failure to find even a single Oswald coworker who remembered Lee wearing that jacket was softened by Truly. Truly “stated, however, that he himself had a vague recollection of having possibly seen Oswald wear a jacket similar to that one in the past” (FBI, Dec. 17, 1963).

That vague statement of Truly is the total witness support that Oswald ever wore that blue jacket, CE 163, to work to the Texas School Book Depository.

Reconstruction of the movements of CE 163

The blue jacket (CE 163) was in Oswald's room in Oak Cliff with other clothes where it was largely unused until 1 pm Nov 22 when Oswald went to his rooming house after the assassination. He changed clothes, picked up a .38 Smith & Wesson revolver and a fresh jacket (CE 163), and went to the Texas Theatre to meet a contact. After buying his ticket Oswald would have worn CE 163 entering the Theatre. It would have gone with Oswald into the main seating area where Oswald found a seat. At some point Oswald took off the jacket and set it on a seat next to him. He then intentionally left it there when he moved to another seating location.

When CE 163 was found it may not have been immediately realized that it could be Oswald's, especially since police thought they already had Oswald's jacket (the nearly-white light tan CE 162 abandoned by the Tippit killer behind the Texaco station).

A jacket or coat found inside the Texas Theatre that *did* turn out to be Oswald's would fatally disrupt the narrative in which Oswald was the killer of Tippit. It would create a serious problem for that narrative in terms of how one Tippit killer (as supposed), witnessed entering the theater at 1:35 pm with one jacket already abandoned, could have a second jacket or coat belonging to him inside the theater that he also was not wearing.

It is not necessary to suppose the police or FBI were immediately confronted with that dilemma, but if and when that jacket came to the attention of the FBI it may have become a sort of hot potato item of physical evidence, difficult to explain and potentially exculpatory to Oswald if verified to be Oswald's *and* found in the Texas Theatre. The solution settled upon was to have it found at the Texas School Book Depository and turned in to the FBI from there, where it could then be checked out properly to determine whether it was, in fact, a jacket of Oswald. If it turned out not to be, no harm done to the narrative. If it turned out it *was*, then that also could be acceptably shoehorned into fitting the accepted narrative, in a way that would not be possible if it were found to be Oswald's and reported found in the Texas Theatre.

Being "found" at the Book Depository tidied up that detail of physical evidence. The reason CE 163 did not come to light in the Texas School Book Depository immediately following the assassination—the delay of three weeks—is quite simply it was not yet there, had not yet been conveyed there to be found and turned in.

Conclusion

The FBI/Warren Commission's reconstruction of Oswald's clothing on November 22, 1963 included a basic "blue then gray" Oswald jackets' sequence (which was actually a "blue *then light-tan* Tippit killer's jacket misleadingly *called 'gray'*" sequence).

That FBI/Warren Commission jackets' narrative is contradicted by overwhelming testimony of witnesses at every stage of Oswald's movements that day, which in clear signal testify to an opposing true "gray then blue" sequence for Oswald's jackets on Nov 22, 1963. Oswald had only his gray jacket the morning of Fri Nov 22, with that gray jacket having nothing to do with the Tippit killer's off-white light-tan jacket, CE 162, which was neither of the two jackets of Oswald, neither the gray nor the blue.

The "gray then blue" sequence of Oswald's two jackets on Nov 22, 1963 is established on the strength of the witness testimonies. The Warren Commission's identification of the Tippit killer's off-white light-tan jacket, CE 162, as Oswald's gray jacket is rejected.

The find of Oswald's blue jacket or coat, CE 163, in the Texas School Book Depository, combined with no Book Depository employee known to have seen Oswald wear that item there, is consistent with a relocation of CE 163, under obscure circumstances, from an actual find at the Texas Theatre in Oak Cliff to the Texas School Book Depository to be found there.

The findings of this study suggest that Oswald was not the killer of Officer Tippit and was that killer's next intended victim.

[END]