

# Dallas Police Describe the Evidence Against Oswald as Enough to 'Cinch' the Case

## OFFICIAL EXPECTS NEW INFORMATION

### But Prosecutor Is Confident of Data for a Conviction—Suspect Still Questioned

Continued From Page 1, Col. 7

ing a letter sent March 20 to a Chicago mail order house under an assumed name for a \$12.78 rifle similar to the one that killed President Kennedy.

The chief said the order bore a post office box return address in Dallas in the name of "A. Hidell," which had been established as a post office box rented by Oswald.

### Reports Photographs

The chief said photographs found at Oswald's home in suburban Irving showed him with a revolver on his hip and a rifle in his hand, and showed him displaying two apparently left-wing newspapers, one with a bold headline: "Be Militant."

Chief Curry said tonight that the police considered the case against Oswald had shaped up about to their satisfaction. He said the defendant would be turned over tomorrow morning to the custody of County Sheriff Bill Decker for confinement in the county jail a mile away.

This signified the end of more than 24 hours of intermittent interrogation of the defendant and comparison of his statements with those of witnesses.

Chief Curry announced also that a third charge was being lodged against Oswald—assault with intent to murder Gov. John B. Connally, who was felled along with President Kennedy.

The chief summed up the day's work thus: "I thought the case was in good shape this morning. It's even stronger tonight."

As a major item of evidence, the prosecutor cited at a news conference at police headquarters a statement to the police by Oswald's Russian-born wife, Marina. She was questioned last night and this morning.

Had Rifle in Garage  
Mr. Wade quoted her as saying that Oswald had a rifle, similar in appearance to that used in the assassination, in their garage in suburban Irving on Thursday night. She was said to have added that it was not there after Oswald went to work yesterday morning at the book warehouse from which came the shots that felled the President and Texas' Gov. John Connally.

Police Chief Curry quoted an unidentified witness as saying that when Oswald walked into the warehouse yesterday morning, he was carrying a long package wrapped in brown paper. He told somebody this was a window shade.

The rifle involved in the assassination was found near a sixth-floor window of the warehouse shortly after the crime. Other employees were quoted as stating that Oswald had stayed upstairs when they went out to watch the President go by.

District Attorney Wade said he had mistakenly identified the assassination rifle last night as a German Mauser.

Police officers said the rifle was a 1938 model, an Italian-made rifle, used by Italian armed forces in both World War I and World War II.

Mounted on the rifle was a four-power inexpensive Japanese telescopic sight. The rifle was a reconditioned weapon, with a rifle bore of 6.5 mm. caliber.

A small-arms expert said the crude finish and rough workmanship on the rifle made it a poor choice for a sporting firearm.

Such weapons have been sold in large quantities by war surplus stores.

Officers starting a canvass of such outlets observed that the odd-sized and unusual .30-caliber—might provide an important clue. The assassination, they said, involved excellent marksmanship that could only have come from regular practice recently, and this in turn would have required sizable quantities of the special ammunition.

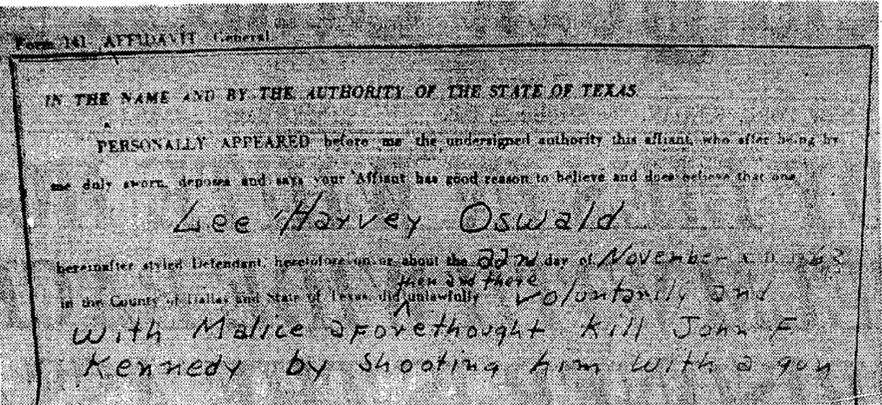
Wants to Talk  
Oswald's only utterance directed to outsiders today was an exclamation, as he was handcuffed through a police headquarters corridor: "I want to talk to Mr. . . . in New York."

The name sounded like Abt or Apt. Oswald was permitted to telephone New York to try to reach John J. Abt, a lawyer who has handled left-wing cases. The police said he was unable to reach Mr. Abt, but talked to the lawyer's wife.

[Mr. Abt, however, denied that Oswald had talked to his wife. He said, "Whoever Oswald talked to it was not Mrs. Abt." Mr. Abt said he had never heard of Oswald.]

Late today the president of the Dallas Bar Association, H. Louis Nichols, visited Oswald in the fourth floor jail at police headquarters to assure him of legal representation.

Mr. Nichols said Oswald denied any immediate assistance, saying he preferred representation by Mr. Abt, or a lawyer for the American Civil Liberties Union "who believes in the same things I do."



MURDER CHARGE IS FILED: The affidavit charging Lee Harvey Oswald with slaying of President Kennedy



CHIEF INVESTIGATOR: Capt. Will Fritz of the Dallas Police Department, who is heading the investigation into the assassination of the President.

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## Oswald Wrote to Connally About 'Injustice'

By PETER KIHSS  
Lee H. Oswald once warned the Navy Department that he would "employ all means, to right the gross mistake or injustice" that he contended had been done to him.

The Texan who has been charged by the Dallas police with being the assassin of President Kennedy—a charge he denied—had been complaining about an undesirable discharge given him by the Marine Corps. This occurred after he had gone on inactive status as a hardship case, only to turn up in Russia.

His warning was in a letter from Minsk in the Soviet Union. It was apparently written in January, 1962—and misdated Jan. 30, 1961—and addressed to John B. Connally Jr. as Secretary of the Navy. Mr. Connally is now Governor of Texas, and was wounded in the same car in which President Kennedy was shot dead.

The 24-year-old Oswald had asserted in a New Orleans radio interview Aug. 21 that he was a "Marxist" and different from a "Communist." But yesterday Police Chief Jesse Curry of Dallas quoted him as having told police interrogators that he was "a member of the Communist party" and that he was apparently "proud of being a Communist."

The Communist party issued a statement here categorically denying that Oswald had "any association" with the party. The statement declared that the assassination "could only be the work of a mentally deranged person or the deliberate deed of an enemy of democracy, an agent of the ultra-Right advocates of violence."

Presumably Oswald must have denied that he was a Communist when he was issued a passport by the State Department office in New Orleans last June 25. Passport applications warn that it is illegal for a member of the Communist party to apply for or to use a passport. The applications also require the applicant to swear that he has not been a member of a Communist organization for 12 months or "ever sought or claimed the benefits of the nationality of any foreign state."

Oswald had sought to become a Soviet citizen in October, 1959, but later said that Soviet officials refused to grant him citizenship. Yesterday, State Department authorities in Washington said that they had no evidence indicating involvement of the Soviet Union, Cuba or any other foreign power in the assassination of President Kennedy.

Oswald's letter from Minsk addressed to Mr. Connally as Secretary of the Navy, written in longhand, was made public by the Defense Department in Washington yesterday. Giving Oswald's Marine Corps Reserve serial number, it read: "I wish to call your attention to a case about which you may have personal knowledge since you are a resident of Fort Worth as I am."

"In November, 1959, an event was well publicized in the Fort Worth newspapers concerning a person who had gone to the Soviet Union to reside for a short time (much in the same way E. Hemingway resided in Paris)."

"This person in answers to questions put to him by reporters in Moscow criticized certain facets of American life. The story was blown up into another 'turncoat' sensation, with the result that the Navy Department gave this person a belated dishonorable discharge, although he had received an honorable discharge after 3 year's service on Sept. 11, 1959 at El Toro Marine Corps Base in California."

"These are the basic facts of my case. 'I have and always had the full sanction of the U.S. Embassy, Moscow, U.S.S.R. and hence the U.S. Government. In as much as I am returning to the U.S.A. in this year with the aid of the U.S. Embassy, [to] bring with me my family (since I married in the U.S.S.R.) I shall employ all means to right this gross mistake or injustice to a non-fied U.S. citizen and ex-serviceman. The U.S. Government has no charges or complaints against me. I ask you to look into this case and take the necessary steps to repair the damage done to me and my family. For information I would direct you to consult the American Embassy, Chieikovskii Street 19121, Moscow, U.S.S.R."

"Thank you."  
Mr. Connally was Navy Secretary from Jan. 23 to Dec. 11, 1961. He replied Feb. 23, 1962, addressing Mr. Lee H. Oswald, U.S.M.C.R. 1653230, Laimina Street 4-24, Minsk U.S.S.R. He said that he had referred the letter to the Secretary's office in Washington.

In Washington, the Marine Corps said yesterday that Oswald's undesirable discharge Sept. 11, 1960, had been issued after he had requested discharge the previous July 26 to accept Soviet citizenship. A spokesman said that a Navy discharge review board had been asked to review the case and had upheld the undesirable discharge.

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Oswald came to see the baby and his wife often. He always spoke in Russian to them, and sometimes stayed overnight.

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Although Mr. Paine is not living with his wife and two daughters now, he comes from nearby Grand Prairie frequently to visit them.

It was on these occasions that he engaged in philosophical discussions with Oswald. He recalled the conversations today in an interview in the living room of his wife's modest home.

In them, he said, he was never able to convince Oswald of the superiority of free enterprise.

He described Oswald as "quiet" and "hard to get to know."

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Mr. Paine called the 22-year-old Russian woman "apolitical" and a "very fine person" who "likes America."

Mrs. Paine said she was a very good mother and friend.

Oswald had not been close to his brother, Robert, of Denton, Tex., or his widowed mother, Mrs. Margarita Oswald of Fort Worth, although they rushed to Dallas to try to aid him when they heard of his arrest.

His mother, a practical nurse, wore her white uniform to police headquarters last night, this morning and again this afternoon when she went to see him.

She heard the news that her son was being charged with the President's assassination and the subsequent slaying of a patrolman and asked The Fort Worth Star-Telegram how she could get the 30 miles to Dallas "to hear him tell me" whether he did it.

Star-Telegram reporters drove her to the police headquarters, and she told how her son's defection to the Soviet Union had made her life lonely.

"They all turned their backs on me," she said of her neighbors and friends.

"And now they will turn their backs on me again."

She said she had not seen her son and daughter-in-law for about a year and had not re-

## Police Relate Story of Swift Capture

The interrogation, directed by Captain Fritz continued until midnight. At 1:30 A.M. today Oswald was arraigned on charges of murdering the President. He denied both charges. The questioning of Oswald was resumed today.

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

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

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

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

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

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

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## MARXISM CALLED, OSWALD RELIGION

Suspect 'Refused to Eschew Violence,' Friend Says

By DONALD JANSON  
Special to The New York Times

IRVING, Tex., Nov. 23—A transplanted New Yorker said today that the question of violence had come up "frequently" in long philosophical discussions he had held with Lee H. Oswald in recent months.

"Oswald refused to eschew violence as a method for achieving desired ends," Michael R. Paine said.

Mr. Paine, an engineer who was born in New York and attended Harvard University for two years, said that "Marxism was a religion" with Oswald.

He said Oswald, who is being held on charges of assassinating President Kennedy, "believed in Communism and thought it would take over the world."

The young engineer said he had finally given up efforts to have "a useful conversation" with Oswald because "he was not logical."

"He wanted to change the free-enterprise system," Mr. Paine said, "while at the same time saying he returned to the United States from Russia because he liked the freedom people had in this country."

Oswald was a former Marine, moved to the Soviet Union to live in 1959. There he married Marina Nicholaeva, a Minsk pharmacist. Their first child, June Lee, was born in Russia.

Oswald Lived Alone

Since last September Oswald's family has lived at the Paine home in this small town ten miles from Dallas. Mrs. Paine took Mrs. Oswald in because she was pregnant and Oswald, frequently out of work, was having difficulties supporting her.

Oswald owned an \$8-a-week room in Oak Cliff, a section of Dallas. He lived there until he was arrested yesterday.

Mrs. Paine's friendship with Marina, a slight brunette, began when she met the Oswalds at a party in Dallas last February.

Since then Mrs. Oswald has stayed at the Paine home intermittently with her daughter, not yet 2, while her husband went from job to job in Fort Worth, Dallas and, recently, New Orleans, the city of his birth 24 years ago.

Two months ago Mrs. Paine drove to New Orleans and brought Mrs. Oswald and her daughter back to Irving for an extended visit.

With the Oswalds' effects, which went into the garage, Mr. Paine said, was a long, slim object wrapped in a blanket. He said he had taken it for "camping equipment" when he moved it from the workbench.

He learned only today, he said, that the blanket contained a rifle—the one authorities believe was used to kill Mr. Kennedy. Mrs. Oswald told them about it.

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## Dallas Asks Why It Happened; Worry Over 'Image' Is Voiced

Special to The New York Times

DALLAS, Nov. 23—Was Dallas to blame? Or was this a chance tragedy that could have happened in any city that happened to entertain a President of the United States?

At every level of the social and economic scale, Dallas citizens searched themselves today for the answer. The defensiveness was massive. It verged sometimes on combativeness. It came out often without prompting. Almost surely it came in the presence of an identified Easterner.

This city of 750,000 calls itself the Southwest's capital of aviation, insurance, finance and manufacturing. In recent years it has also become known as a center of sometimes-extreme conservatism.

Residents took little comfort in the news that the man charged in President Kennedy's assassination, Lee Harvey Oswald, had a record as a Communist sympathizer.

"People are going to be driven to the conclusion that maybe this wouldn't have happened if Dallas hadn't been so conservative," one businessman said.

In one way or another, men and women asked, "What will the rest of the nation think of Dallas?"

But putting this worry about Dallas' "image" first was not universal. Many thought first and spoke first of a family's grief and the blow to orderly government.

But Dallas appeared self-conscious and defensive as if a mass conscience had been aroused. There seemed to be guilt feelings that ordinary men and women were not able to handle.

"What can you do?" an industrial engineer in his middle years asked helplessly. He was representative of many.

Physicians, observing patients and friends, commented on this reaction.

At the Trade Mart yesterday, as the word got around that the President had been shot, one man's spontaneous outburst was: "Those damn fanatics! Why do we have them in Dallas?"

A taxicab driver listened to the conversation of his passengers for a few moments. He broke in and asked where they came from.

"New York? Uh!" he remarked. "Are you here to take pictures of our black eye?" He was both sad and defensive, but not combative.

"You can't blame the city," one of his passengers ventured. "But everybody won't say that," the driver said.

A man with shock plainly on his face said: "This is a tragedy for Dallas. Oh, this is a tragedy."

A waitress felt the same way. "Dallas can't hold its head up this morning," she volunteered. At an all-night lunchstand, a

young man who had witnessed the assassination said sadly: "I had to come downtown and talk to somebody about it. I just can't get it out of my mind. What are the people in New York saying about us? I am sure you'll be fair, but it's too bad we have this reputation."

A man working at the lunchstand bared his feelings this way: "I think Dallas died right with him. We're the ones that are going to suffer. History will never erase it."

A statement by Mayor Earle Cabell reflected, in a degree, a widespread feeling: "There are maniacs all over the world and in every city of the world," he said. "This was a maniac. It could have happened in Podunk as well as in Dallas."

Carl E. Welch, who holds the title of Mayor pro tem, commented: "I challenge anybody who says this reflects on the character of the people of Dallas."

Was this kind of reaction strange to local professional people who encounter the emotional problems of patients every day?

"No," said a neuropsychiatrist, "not in consideration of the dynamics, coming after the case of Stevenson." (Adlai E. Stevenson, chief United Nations delegate, was struck by a picket sign and spat upon during a recent visit to Dallas.)

"We were embarrassed once previously," he continued. "It has a great deal of meaning as far as the image of the city is concerned."

A Dallas psychoanalyst put it this way: "Dallas is very, very proud of Dallas. In an individual it is almost a narcissistic thing. Instead of worrying about the grief of others, he worries about the image of the city."

But many were very distressed and upset and were thinking first of Mrs. Kennedy and then what was going to happen to the country and the world situation.

Dallas' reputation as a center of conservatism is not entirely without foundation. The Dan Smoot Report, a weekly periodical described as "uncompromising constitutional conservative" by its author, Dan H. Smoot, is published here. It goes to 50,000 subscribers. A commercially sponsored broadcast version is used by 85 television and 100 radio stations.

Dallas is also the home of several persons and organizations firmly identified with conservatism.

Former Gen. Edwin A. Walker lives here, as does oilman H. L