

Mr. RANKIN. Is there any information, evidence or knowledge that you haven't given us that would bear upon this assassination of President Kennedy, that might help the Commission?

Mr. LEE. No, sir; I have no information whatsoever. I have more than personal, more than just curiosity, and I hope very much to know the truth about this incident and hope very much that the truth is known, particularly for my own personal reasons, as well as any other reasons, because having been practically a victim of very serious slander in this direction, both by individuals and by elements of the press and various periodicals, I have very serious concern about developing the truth. I have been threatened. People have tried to break into my home, somehow connecting myself and my organizational activities, quite falsely, with the assassination—I would like to see the truth come up, because I am quite sure that any investigation will show that this was not true, that I didn't have any part of this. I am as much interested and probably more interested in my own way in having the facts presented than many of the average people on the street. I have a personal involvement in this.

Mr. RANKIN. That is all.

Mr. Faulkner, do you have anything?

Mr. FAULKNER. I was just going to ask Mr. Lee one question with regard to Exhibit No. 1, where the date in the lower righthand corner appears reading, "Sent 4/19/63" in his handwriting.

Mr. LEE. Well, you see, the thing is, I don't think it is, because I don't see how I could have written that if I wasn't there. That's the whole thing. But it could be—like I said, that office was an open door. Everybody used to come and go, and people would come in and say, "I've got twenty minutes"—a kid from school, some kid would come in and say, "I've got 20 minutes between classes. Can I do something to help you?" And somebody would say, "Yes, wrap that package", and they would be off 20 minutes later. So it could be anybody in the world. Or perhaps the only possibility is when I returned, perhaps somebody mentioned that it was taken care of, and I wrote it after my return. But certainly not at that time, because I wasn't even present.

Mr. RANKIN. Is it satisfactory, Mr. Lee, if we finally obtain the originals from the Bureau and send them to you of these Exhibits 3 and 3-A, which purport to be copies or photocopies of your correspondence, and on your verification substitute those for those copies?

Mr. FAULKNER. If—

Mr. LEE. If you find it's necessary. Actually, as I say, I would assume these very much—I mean, this looks very much like what I would expect a duplicate, a duplication of the stationery which I used to look like. I mean, just, you know, like I say, I assume—

Mr. FAULKNER. We would be satisfied.

Mr. LEE. (Continuing.) I would be satisfied to make this—

Mr. FAULKNER. If you are satisfied when you see the original, compare it with this, and if you are satisfied that they correspond, there is no reason to call Mr. Lee.

Mr. LEE. No; I am quite agreeable to verification.

Mr. RANKIN. Fine. Thank you very much.

TESTIMONY OF ARNOLD SAMUEL JOHNSON

The testimony of Arnold Samuel Johnson was taken at 9:30 a.m., on April 17, 1964, at the U.S. Courthouse, Foley Square, New York, N.Y., by Messrs. J. Lee Rankin, general counsel, and Wesley J. Liebeler, assistant counsel of the President's Commission. Mr. Arnold Samuel Johnson was accompanied by his attorney, John J. Abt.

Arnold Samuel Johnson, having been first duly sworn, was examined and testified as follows:

Mr. RANKIN. Will you give the reporter your name and address.

Mr. JOHNSON. Arnold Samuel Johnson. My home address is 56 Seventh Avenue, New York City.

Mr. RANKIN. Mr. Johnson, my name is J. Lee Rankin. I am general counsel for the President's Commission on the Assassination of President Kennedy.

We are here to take your testimony with regard to that matter, and we have certain rules and procedures that the Commission has set up to be followed in connection with the hearings and testimony that is taken for the consideration of the Commission. Mr. Liebeler is here as my assistant, and he is one of the several counsel of the Commission.

The Commission acts in accordance with an Executive order of President Johnson, No. 11130, and a Joint Resolution of the Congress No. 137.

Under the rules you have a right to a 3-day notice of this examination. I understand you are appearing voluntarily and do not require that?

Mr. JOHNSON. That is right.

Mr. RANKIN. You are also entitled to have counsel, and I understand Mr. Abt is acting as your counsel in connection with this proceeding.

Mr. JOHNSON. Correct.

Mr. RANKIN. You also have a right to have a copy of the testimony made available to you. However, it is at your own expense. We just tell the reporter that you can get it if you pay for it.

Your counsel has a right to make objections during the proceedings and also at the close of the examination on behalf of the Commission to ask you such questions as he may care to, that may clarify anything that you say that he thinks either you desire to have clarified or he thinks in his good judgment should be either clarified or elaborated upon or require further questions from him to make clear what he thinks your testimony is.

Are there any questions which you have in regard to it?

Mr. JOHNSON. Perfectly all right.

Mr. RANKIN. Mr. Johnson, can you identify for us the position you occupied at the time you received some communications from Lee Harvey Oswald?

Mr. JOHNSON. Yes; I was the director of the information and lecture bureau of the Communist Party.

Mr. RANKIN. I may ask you some questions trying to cover things which I ordinarily would, and you wait for your counsel. Is it possible for you to tell us whether you continue to occupy that position now? Is that any problem?

Mr. ABT. I think not. I think there is no problem.

Mr. JOHNSON. No problem.

Mr. RANKIN. And you do?

Mr. JOHNSON. I do.

Mr. RANKIN. Do you have anything to do with the subscription list of the Worker?

Mr. JOHNSON. Immediately, I do not.

Mr. RANKIN. Would you know, then, whether Lee Harvey Oswald was a subscriber to the Worker, of your own knowledge?

Mr. ABT. Just say of your own knowledge, whether you actually know it or don't.

Mr. JOHNSON. I mean, not of my own knowledge; no. That's the point, I would say.

Mr. RANKIN. Did the fact that he was a subscriber come to your attention at some time, through hearsay or otherwise?

Mr. JOHNSON. Through hearsay only.

Mr. RANKIN. Was that from him or someone else?

Mr. JOHNSON. From him in one of the letters.

Mr. RANKIN. Did you supply some correspondence that you had with Lee Harvey Oswald to someone in connection with the consideration of the assassination of President Kennedy?

Mr. JOHNSON. Yes; I supplied all of it.

Mr. RANKIN. About when was that that you did supply that information?

Mr. JOHNSON. In the first week of December.

Mr. RANKIN. What year?

Mr. JOHNSON. 1963.

Mr. RANKIN. How did you happen to supply that information?

Mr. JOHNSON. Well, I supplied it in the office of John Abt to the representative of the FBI at the time, in the presence of my attorney, John Abt, and it was supplied to the FBI agent who came, and I assume was conducting the investigation on behalf of the Commission at the time.

Mr. RANKIN. Now, before you supplied that material to this FBI agent, did you make any search of files to determine what information, correspondence or records you had in regard to Lee Harvey Oswald?

Mr. JOHNSON. Oh, yes. Very extensive. We went through every bit of the office.

Mr. RANKIN. Did you do that yourself or have it done under your supervision and direction?

Mr. JOHNSON. I did it myself.

Mr. RANKIN. How large a search was that? I would like to establish how complete, if I can.

Mr. JOHNSON. I will admit the files are not exactly in an organized fashion. It's—it was material in which there were a lot of other letters and things like that. So I went through these files several times.

Mr. RANKIN. Yourself?

Mr. JOHNSON. All the files, back and forth.

Mr. RANKIN. You did that yourself?

Mr. JOHNSON. Yes.

Mr. RANKIN. And those were all the files that you could find that might show any correspondence between—

Mr. JOHNSON. Oh, yes.

Mr. RANKIN. The Communist Party and Mr. Lee Harvey Oswald?

Mr. JOHNSON. Yes; that would be the complete file, everything, all the correspondence.

Mr. RANKIN. About when did you make this search?

Mr. JOHNSON. Frankly, I started right after the assassination was announced. As soon as that name appeared, I started to make a search.

Mr. RANKIN. Why did you do this?

Mr. JOHNSON. Somehow the name struck my memory.

Mr. RANKIN. Why did you supply the information to the FBI agent that was investigating?

Mr. JOHNSON. Oh, because I felt dutybound to cooperate in the full with the Government in any investigation of this assassination.

Mr. RANKIN. Do you know whether or not Lee Harvey Oswald was ever a member of the Communist Party of the United States of America?

Mr. JOHNSON. To my knowledge, he was never such, and I would know.

Mr. RANKIN. You think you would know?

Mr. JOHNSON. Oh, yes; I would, I am sure.

Mr. RANKIN. I hand you an exhibit that has been marked—

Mr. LIEBELER. Exhibit No. 1 on the examination of Arnold Johnson, April 17, 1964. It has been our practice for the examining attorney and for the witness to initial the exhibit for purposes of identification so there is no confusion.

Mr. RANKIN. Mr. Johnson, would you be kind enough to initial the exhibit under my initials so we both certify one of the exhibits offered.

Mr. JOHNSON. Yes (witness complies).

(Document marked Johnson Exhibit No. 1.)

Mr. RANKIN. Will you examine that Exhibit No. 1 on your examination and determine whether you have seen that before?

Mr. JOHNSON. Yes; I have.

Mr. RANKIN. About when did you receive it?

Mr. JOHNSON. In late June or early July—I believe June—of 1963.

Mr. RANKIN. Where did you receive it?

Mr. JOHNSON. In my office.

Mr. RANKIN. Is it in substantially the same form that it was when you received it, except for some notations by you on it?

Mr. JOHNSON. Yes.

Mr. RANKIN. You recognize that there are some notations by you on that Exhibit 1?

Mr. JOHNSON. Yes; there are.

Mr. RANKIN. Will you tell us about those, please?

Mr. JOHNSON. The notations are "Send catalog and limited supply."

Mr. RANKIN. What does that mean?

Mr. JOHNSON. That is in reference to a request for literature, and I stated to send a limited supply, I mean, which means usually a copy of one, a single copy of several pieces at the particular time.

Mr. RANKIN. I see. And what does the catalog reference mean?

Mr. JOHNSON. The catalog is a—

Mr. RANKIN. A listing of your supplies and literature?

Mr. JOHNSON. It is a listing of literature, which is a rather old catalog, to tell the truth about it, of the International Publishers, which usually is included in—which includes many other pieces of literature that if the person was interested they could purchase.

Mr. RANKIN. Will you explain the other notation?

Mr. JOHNSON. The other notation is "lit sent," which means that the literature was sent.

Mr. RANKIN. That notation was made by you too?

Mr. JOHNSON. That is my writing too.

Mr. RANKIN. And the double line?

Mr. JOHNSON. This double line refers to this particular point of literature, and I made that double line. That is all.

Mr. RANKIN. Does this Exhibit 1, as you received it, consist of two handwritten pages apparently written by Lee Harvey Oswald on or before the date they bear, together with a single printed sheet about "Hands off Cuba"?

Mr. JOHNSON. Yes. In the letter he refers to the leaflet "like the one enclosed," and that accompanied the letter. It is also true on the leaflet he refers to the term "free literature."

Mr. RANKIN. Do you have any recollection of just what literature you sent?

Mr. JOHNSON. At the time when I turned this over I included copies of what I would assume would have been the literature at the time.

Mr. RANKIN. That is when you turned it over to the FBI?

Mr. JOHNSON. Yes; I turned over copies of the literature at the same time. That would be the normal thing for that particular period. I think I could think through carefully—

Mr. RANKIN. Would that be four or five pieces?

Mr. JOHNSON. Possibly more than that; about seven or eight.

Mr. RANKIN. Could you briefly describe about what they were for the record?

Mr. JOHNSON. Well, they would be those pieces of literature which somehow state what was being distributed around that time from our offices, and I know it included a pamphlet "End The Cold War" by Gus Hall; it included a pamphlet on the McCarran Act. I think it would have included at that time another pamphlet on "Peaceful Co-existence." Then the pamphlet that we usually sent by Elizabeth Flynn, something of the history of the Communist Party, "Horizons of the Future." I am guessing now, to tell the truth about it, from here on.

Mr. RANKIN. Do you recall the reference in this Exhibit 1 to honorary membership cards in the Fair Play For Cuba?

Mr. JOHNSON. I know the reference is there; yes.

Mr. RANKIN. Do you recall whether or not the cards were enclosed or not?

Mr. JOHNSON. I really don't remember that.

Mr. RANKIN. Did you ever have any oral communications with Lee Harvey Oswald?

Mr. JOHNSON. None whatsoever.

Mr. RANKIN. Did you ever have any oral communications with anybody on his behalf?

Mr. JOHNSON. None whatsoever.

Mr. RANKIN. Do you recall doing anything about the honorary membership cards, giving them to Mr. Hall and Mr. Davis, or anything like that?

Mr. JOHNSON. No. That is where I don't really recall about them. If I would have done that, then I am sure that I would have remembered it.

Mr. RANKIN. Do you recall doing anything else about the letter, Exhibit 1, and the printed sheet attached to it beyond what you have described?

Mr. JOHNSON. I replied to it.

(Document marked Johnson Exhibit No. 2.)

Mr. RANKIN. I hand you Exhibit No. 2 on your examination and ask you if you will identify that by stating whether or not you have seen that copy and the original of that copy at some time.

Mr. JOHNSON. Yes. This is my reply to the letter we have just been discussing.

Mr. RANKIN. Did you prepare that reply?

Mr. JOHNSON. I did.

Mr. RANKIN. Did you send it on or about the date it bears to Mr. Oswald?

Mr. JOHNSON. Yes; I did.

Mr. RANKIN. Would you kindly initial it.

(Witness complies.)

Mr. RANKIN. Thank you. What did you mean in Exhibit 2 by the statement that "We do not have any organizational ties with the committee"?

Mr. JOHNSON. That is in reference to the Fair Play for Cuba Committee.

Mr. RANKIN. Yes.

Mr. JOHNSON. And there are no organizational ties between the Communist Party and the Fair Play for Cuba Committee; and since he was writing on that subject, I wanted to make it clear that there is no such relationship existing, so that literature that was being sent was not being sent from the viewpoint of the Fair Play for Cuba Committee as such, or anything like that.

Mr. RANKIN. By "organizational ties" did you mean to distinguish between that kind of a tie and some other kind of a tie; is that what you were trying to do?

Mr. JOHNSON. In the sense—well, in this sense, that while not being responsible for what that committee may do, if there were activities being done by a committee which would have our sympathy, well, there would be that kind of relationship; but that is not any—not where we would assume responsibility for it, nor could we indicate what its policy would be, or anything like that.

Mr. RANKIN. You are trying to distinguish between some official relationship and mere sympathy?

Mr. JOHNSON. That is correct.

Mr. RANKIN. Is that it? You did recognize a sympathy or desire to encourage the Fair Play for Cuba Committee, I take it, then?

Mr. JOHNSON. That and other similar committees, whatever they may be, but not exclusively that.

(Document marked Johnson Exhibit No. 3.)

Mr. RANKIN. I hand you Exhibit No. 3 and ask you if you recall having received that from Lee Harvey Oswald?

Mr. JOHNSON. Yes; I do.

Mr. RANKIN. Is that one of the letters that you delivered to the FBI at the time you described?

Mr. JOHNSON. That is.

Mr. RANKIN. Did you receive it on or about the date it bears?

Mr. JOHNSON. I think so. I mean within those days; not on the day but afterward.

Mr. RANKIN. Do you recall receiving the honorary membership card of esteem that he says he is sending to you?

Mr. JOHNSON. Somehow I do not; at least I never kept it, and it wasn't attached to the letter at all when I found it in the files, or anything like that. I do not recall that.

Mr. RANKIN. Will you kindly initial Exhibit 3 too, please.

(Witness complies.)

Mr. RANKIN. There is a reference in the second paragraph of Exhibit No. 3 to a clipping. Do you recall that at all?

Mr. JOHNSON. I recall a clipping that had something to do with either a distribution of literature or a—and I think that was it. I am not too sure whether it also had something about an arrest or some altercation that he had been in. I did not keep it. I did not regard it as of any particular significance.

Mr. RANKIN. Do you recall destroying it or do you know what happened to the clipping?

Mr. JOHNSON. Well, things like that I would just very likely throw in the wastebasket; that's all.

Mr. RANKIN. Do you recall whether or not you responded to the Exhibit No. 3?

Mr. JOHNSON. I responded to that together with other letters.

Mr. RANKIN. At some later date?

Mr. JOHNSON. At a later date.

Mr. RANKIN. There is a request in Exhibit 3 for additional information or literature. Do you recall whether you sent any additional—

Mr. JOHNSON. I don't recall exactly, but I would rather imagine not, and for a very simple reason: If I would have, I would have made a notation on here, "Literature sent."

Mr. RANKIN. I see. I hand you what has been marked Johnson Exhibit No. 4 and ask you if you recall receiving that.

Mr. JOHNSON. Yes; I do.

Mr. RANKIN. About when compared with the date it bears? Do you remember?

Mr. JOHNSON. Within just a few days after that.

Mr. RANKIN. Will you please initial that below my initials.
(Witness complies.)

Mr. RANKIN. Is Exhibit 4 in the same condition as it was when you received it, except the notations on it that—

Mr. JOHNSON. Yes; it is.

Mr. RANKIN. Is it one of the papers that you supplied the FBI at the time that you referred to?

Mr. JOHNSON. That is correct.

Mr. RANKIN. And does it consist of three pages, handwritten?

Mr. JOHNSON. Right. Three full pages; yes.

Mr. RANKIN. It is dated August 28, 1963; is that correct?

Mr. JOHNSON. That's right.

Mr. RANKIN. Now, will you tell us about the notations that you put on Exhibit 4? Describe first each one as you tell about it.

Mr. JOHNSON. The notations that I put on?

Mr. RANKIN. Yes.

Mr. JOHNSON. This one, "Fair Play is a broader comm." I put that simply as a point to be emphasized in my reply. The two lines on page 2—

Mr. RANKIN. The top of the page?

Mr. JOHNSON. At the top of the page—as a point to consider in making my reply. Those are the only notations that I've got on it.

Mr. RANKIN. Now, there is another notation in ink, "Arnold, please reply," with the capital letter E, apparently.

Mr. JOHNSON. Yes.

Mr. RANKIN. Do you know who put that on?

Mr. JOHNSON. Yes.

Mr. RANKIN. Will you tell us?

Mr. JOHNSON. Elizabeth Gurley Flynn.

Mr. RANKIN. Who is she?

Mr. ABT. Mr. Rankin, I have advised Mr. Johnson respectfully to decline to give any further information on this subject.

Mr. RANKIN. Will you tell us what you meant by that notation, that is, "broader comm."?

Mr. JOHNSON. That the Fair Play for Cuba Committee is a committee which is inclusive of people of varied political viewpoints and backgrounds, and it is not what we term a—a more limited committee, which would have people more closely associated with us, but rather includes people who vigorously disagree with us, and in this sense is a broader committee.

Mr. RANKIN. That is, it might consist of people who were sympathetic with the Communist movement and also those who were in support of the Cuban movement but not necessarily with the Communist movement? Is that what you are saying?

Mr. JOHNSON. Yes; and who may even be vigorously opposed to the Communist movement.

Mr. RANKIN. There is a reference to Lee Oswald trying to dissolve his United States citizenship. Had you known of that before you received this letter?

Mr. JOHNSON. No; I did not.

Mr. RANKIN. Did you discuss this Exhibit 4 with anyone else at the time you prepared your answer?

Mr. JOHNSON. When Elizabeth gave it to me, just that she indicated that I should answer it. There was really no discussion of what the answer would be.

Mr. RANKIN. Did you give him an answer as to whether he should remain in the background, i.e., underground?

Mr. JOHNSON. Yes; I did.

Mr. RANKIN. Did you do that in your letter?

Mr. JOHNSON. In my letter; yes.

Mr. RANKIN. There is on the last or third page, Mr. Johnson, a notation, "Arnold," with a line above and below that. Do you know whose handwriting that is?

Mr. JOHNSON. Elizabeth Flynn's.

Mr. RANKIN. I hand you Exhibit 4-A and ask you if that is a reply that you prepared to Exhibit 4.

Mr. JOHNSON. It is, but it is also to a further letter (indicating).

Mr. RANKIN. I hand you Johnson Exhibit No. 6, dated September 1, 1963, apparently in the handwriting of Lee Harvey Oswald and consisting of a part of one page in handwriting. Is that the other letter that you referred to, that Exhibit 4-A is a response to?

Mr. JOHNSON. Yes.

Mr. RANKIN. Did you receive Exhibit 6 on or about the date it bears?

Mr. JOHNSON. Shortly after; yes.

Mr. RANKIN. Is it in the same form?

Mr. JOHNSON. It is.

Mr. RANKIN. So by Exhibit 4-A you tried to answer both Exhibit 4 and Exhibit 6? Is that what you mean?

Mr. JOHNSON. And the one previous to that, too. There were three letters that come in under this.

Mr. RANKIN. By these three, you are referring to Exhibit 3—

Mr. JOHNSON. No. 3, 4, and 6.

Mr. RANKIN. Will you initial those two as I have done, Mr. Johnson. (Witness complies.)

Mr. RANKIN. In Exhibit 4-A, you speak about finding some way to get in touch with Mr. Oswald in Baltimore. Can you tell us what you meant by that?

Mr. JOHNSON. In his letter of September 1, he refers that he is going to come to the Baltimore-Washington area and asked for information about how to reach somebody. It is not my practice to refer them to people until a person comes into an area, and if there is any reason to refer them to a person, then I do so under those circumstances. Thus, this is a simple form of simply—of just saying that when such a circumstance arises we can make a contact, that is, look him up wherever he is at the time.

Mr. RANKIN. After you received the letter, Exhibit 4, with regard to Lee Harvey Oswald's trying to dissolve his American citizenship while he was in the Soviet Union, did you make any inquiry to try to determine whether he had taken such action?

Mr. JOHNSON. Nothing further than was in the letter itself.

Mr. RANKIN. And you said that it is often advisable for some people to remain in the background, not underground. What did you mean by that?

Mr. JOHNSON. Very simply that as an American citizen, whatever he is doing should always be aboveground; that a person remains in the background within any organizational activities, that he does not push himself forward in whatever he is doing.

(Document marked Johnson Exhibit No. 5.)

Mr. RANKIN. I hand you Exhibit No. 5 and ask you whether that letter dated August 31, 1963, consisting of two pages and an envelope, was one of the pieces of correspondence you turned over to the FBI at the time you described?

Mr. JOHNSON. It is.

Mr. RANKIN. Had you seen that Exhibit 5 at some time prior to the time you turned it over?

Mr. JOHNSON. Oh, yes; just within a couple of days before, I think it was.

Mr. RANKIN. It is addressed to a Mr. or M. Bert. I guess Mr. Bert.

Mr. JOHNSON. Mr. Bert.

Mr. RANKIN. Can you tell us who that is?

Mr. JOHNSON. He is the managing editor of the Worker.

Mr. RANKIN. How did that Exhibit 5 come to your attention?

Mr. JOHNSON. I inquired specifically of the Worker as to whether there was any other correspondence when I was assembling the material to turn over, and I insisted upon a search of files, in an easy way, "Please look through the files and see if there is anything."

Mr. RANKIN. Who did you make that inquiry of?

Mr. JOHNSON. I made that actually to Mr. Jackson.

Mr. RANKIN. Can you tell us who Mr. Jackson is, enough so that we can know how he may be acting or he may have the authority to search the files?

Mr. JOHNSON. He is the editor of the Worker.

Mr. RANKIN. That was done shortly before you turned over the other papers and this to the FBI?

Mr. JOHNSON. Yes.

Mr. RANKIN. Do you have any basis for believing that when you made such a request it would be carried out?

Mr. JOHNSON. Oh, yes.

Mr. RANKIN. Can you tell us enough about that so we would know what reason you would have to believe that it would be carried out?

Mr. JOHNSON. Well, the relationship would be one, which was very normal; the editorial policy of the Worker in relationship to the assassination; and insistence upon cooperation in any fashion to determine anything related to it that would be helpful in the work of the Commission or Government agencies involved. There was no resistance, and there was immediately a willingness and desire to do so; that is all.

Mr. RANKIN. Did you ask that there be a complete search for anything that would show any correspondence?

Mr. JOHNSON. I did.

Mr. RANKIN. Or contact with Lee Harvey Oswald by either the Communist Party in the United States or the Worker?

Mr. JOHNSON. I did.

Mr. RANKIN. Are you satisfied that that search was full and complete?

Mr. JOHNSON. Yes; I am.

Mr. RANKIN. And that whatever you turned over to the FBI was all that either of those organizations had in their possession?

Mr. JOHNSON. That is correct.

Mr. RANKIN. Did you have any further conversation with Mr. Bert in regard to Lee Harvey Oswald?

Mr. JOHNSON. Only in the sense of asking whether he was sure that there was no other communications, and I think that was really all. I mean I didn't ask him what his reactions were or anything like that.

Mr. RANKIN. And you did not discuss the correspondence in the sense of what it contained?

Mr. JOHNSON. No; I think I did discuss this, I asked him whether there was any reply to it, and he said, no; that he did not reply. And I asked him specifically as to whether—"Are you sure?" because I wondered if there was anything further, and he said he was very sure about that.

Mr. RANKIN. Would you initial that too, please, Mr. Johnson.

(Witness complies.)

Mr. RANKIN. Do you know the Mr. Weinstock that is referred to in this Exhibit 5?

Mr. JOHNSON. Yes; I do.

Mr. RANKIN. Can you tell us who he is or was at that time?

Mr. JOHNSON. He was at that time the managing—the business manager of the Worker.

Mr. RANKIN. Would you tell us where he is now?

Mr. JOHNSON. Right at the moment he is out of town. He had a heart illness some time back.

Mr. RANKIN. Is he somewhat disabled?

Mr. JOHNSON. Yes. Well, he is not working at all now, and I—he was in town a few days ago seeing doctors, and I told him about this request. I asked him specifically whether he knew anything about—anything further about this letter, and so forth. He did not recall a thing.

Mr. RANKIN. Did you ask him whether he had any other contacts with Lee Harvey Oswald except the one that is referred to in that letter?

Mr. JOHNSON. He did not recall it. I asked him that. I also made a search of his back files and found nothing.

Mr. RANKIN. Did you make any inquiry as to whether he knew anything else about Lee Harvey Oswald?

Mr. JOHNSON. I inquired, I asked him that—this was all on the telephone—and he said, no. And he went to this thing out in the country some place, just to sort of recover from this illness.

Mr. RANKIN. And there is a Mr. Tormey that is referred to in that letter. Do you know him too?

Mr. APT. Mr. Tormey is here, and he is prepared to testify.

Mr. JOHNSON. Yes; I do.

Mr. RANKIN. Do you know what position he occupied about that time?

Mr. JOHNSON. About that time he was the executive secretary of the Hall-Davis Defense Committee.

(Document marked Johnson Exhibit No. 5A.)

Mr. RANKIN. Mr. Johnson, I hand you Exhibit 5A, which I was informed was one of the works of Lee Harvey Oswald that you turned over to the FBI at the same time. Do you recall having seen that?

Mr. JOHNSON. Yes.

Mr. RANKIN. Do you know whether or not that was one of the pieces of Lee Harvey Oswald's purported works that he had sent to Mr. Weinstock?

Mr. JOHNSON. Whether he had sent it to Mr. Weinstock or whether he had sent it to Mr. Bert, I don't know. I got it at the same time as I got the letter from Mr. Bert.

Mr. RANKIN. But you do believe that it was sent to one or the other?

Mr. JOHNSON. It was sent to one or the other. It could have been either one.

Mr. RANKIN. And do you understand that it was purportedly something that Lee Harvey Oswald claimed to have made up himself?

Mr. JOHNSON. Yes.

Mr. RANKIN. Do you know whether or not Mr. Weinstock wrote any letter back to Lee Harvey Oswald about that or other material that he had sent in?

Mr. JOHNSON. Not of my own knowledge, other than there is a reference to it in that letter.

Mr. RANKIN. Yes; and you have already testified that you asked Mr. Weinstock about it, and he did not recall any answer; is that correct?

Mr. JOHNSON. That is correct.

Mr. RANKIN. I notice with Exhibit 5, the envelope shows considerable difficulty in reaching the addressee.

Mr. JOHNSON. That is correct.

Mr. RANKIN. Do you know how it happened to get to Mr. Bert?

Mr. JOHNSON. Well, the address is wrong in that on the envelope it is 26 West 23d Street, and the proper address would have been 23 West 26th Street. That is the first mistake. Therefore it was apparently turned back, and then the post office made the correction.

(Witness initials Exhibit No. 5A.)

(Document marked Johnson Exhibit No. 7.)

Mr. RANKIN. I hand you Exhibit 7, which is a letter from Lee Harvey Oswald, with the envelope. Do you recall having received that and turning that over to the FBI?

Mr. JOHNSON. Yes; I do.

Mr. RANKIN. At the time you referred to?

Mr. JOHNSON. Yes; I do.

Mr. RANKIN. Do you know whether you received it near the date that shows on the envelope?

Mr. JOHNSON. I know when I received it.

Mr. RANKIN. Oh, you do recall?

Mr. JOHNSON. And it was not near the date.

Mr. RANKIN. I see. When was it?

Mr. JOHNSON. The envelope has a postmark of the 1st of November. I received it on the 29th of November. That is the day after Thanksgiving.

Mr. RANKIN. You were probably surprised to receive—

Mr. JOHNSON. I was. This was after the assassination date by a week.

Mr. RANKIN. Did you answer that letter?

Mr. JOHNSON. No.

Mr. RANKIN. You did not?

Mr. JOHNSON. No.

Mr. RANKIN. You remember receiving it personally rather than someone in your office at that time?

Mr. JOHNSON. It was brought in by the mail carrier in the normal—in the afternoon, and then was delivered to me within the office, yes.

Mr. RANKIN. Will you place your initials under mine?

(Witness complies.)

Mr. RANKIN. Do you know any reason for the delay in the letter?

Mr. JOHNSON. I really do not. That's an unusual delay. I could readily see a delay occurring after the 22d, but to have a delay from the 1st to that date seems to me to be beyond all normal procedure. Even when mails are held and checked during a thing like that, they wouldn't stand so long. I cannot understand.

Mr. RANKIN. Did you make any examination at the time to determine whether Exhibit 7 had been opened by anyone before you received it?

Mr. JOHNSON. No; except that the envelope has the unusual line on the back which indicates that there was possibly an opening and return. But that could also be the way it was folded or something like that. But you can see the line here [indicating].

Mr. RANKIN. Will you mark that—

Mr. JOHNSON. You see that. It looks that to me, anyway, as if this was the line where it had been opened and then put back. Then if you look at the envelope itself, as an airmail envelope, normally this part would be turned down, and instead it's open like this. Now, it's true that, folded that way, it fits in only when it is this way, but then this line should not have been here. There is something odd about the whole letter as far as the delivery itself is concerned.

Mr. RANKIN. Would you make a pen line on the place on the back that you find that unusual marking, please.

Mr. JOHNSON. (Witness complies.) I will admit I was very much surprised when I received that letter. I was bound to look at it.

Mr. RANKIN. Did you discuss it with anyone at the time?

Mr. JOHNSON. I guess I just made comments all over the place about getting a letter from him at that time.

Mr. RANKIN. Do you have any question about whether Exhibit 7 was prepared and sent by Lee Harvey Oswald?

Mr. JOHNSON. I never studied his handwriting too carefully. There are several things that looked a little bit odd about it. It's a little hard to say. For instance, you have a different kind of ink in two places here. It seems that way to me. But that's pretty hard to say with modern pens. The way he signs his name and the way—that could be a problem, because he didn't always sign it the same—or he has "Mr. A. Johnston" up here, and it starts "Mr. Johnson" up here. I don't know what all the confusing elements are, but I would just as soon leave that to someone who is more—who is a handwriting expert, and I am not.

Mr. RANKIN. Did you ever have a conversation—

Mr. JOHNSON. It may be worthwhile to check it with a handwriting expert on that.

Mr. RANKIN. A conversation with V. T. Lee or any others in regard to the Fair Play for Cuba matter and Lee Harvey Oswald?

Mr. JOHNSON. At no time.

Mr. RANKIN. Did you have any conversation with anyone about the effect

of the assassination by Lee Harvey Oswald and his connection with the Fair Play for Cuba effort in New Orleans on the Communist Party?

Mr. JOHNSON. Will you state that again?

Mr. RANKIN. Read the question, please.

(Question read.)

Mr. JOHNSON. Not in that sense, no. Not in relationship to Fair Play for Cuba et cetera.

Mr. RANKIN. In some other sense, did you?

Mr. JOHNSON. Well, normally, just within our own—among our own people, I would naturally discuss it and say that somebody could try to make a false charge against us in some fashion, and that we of necessity would have to react quickly to it so as to make clear that he was never a member of the Communist Party, never associated with us in any fashion of a political or organizational character.

Mr. RANKIN. Did you make any inquiry to determine whether or not any members of the Communist Party of the United States were involved in any conspiracy with Lee Harvey Oswald about the assassination?

Mr. JOHNSON. Oh, I would say very definitely that they were not. There was never any such relationships at all. There was nobody that I know of who had any contact whatsoever, and I think I would have known.

Mr. RANKIN. By nobody, do you mean—

Mr. JOHNSON. No Communist of any character, at any time.

Mr. RANKIN. Have you made sufficient inquiry or have sufficient knowledge so you were satisfied that that would be true?

Mr. JOHNSON. Oh, yes. There was no relationships whatsoever. I would say definitely I would know if any Communist would have had any conversation, and I know of none, no communication or conversation.

Mr. RANKIN. By any conversation, you mean with regard to the assassination of President Kennedy?

Mr. JOHNSON. Yes.

Mr. RANKIN. Did you have any contacts with the—

Mr. JOHNSON. That's so flagrantly against anything about the Communist viewpoint that it's—

Mr. RANKIN. Will you explain that, Mr. Johnson?

Mr. JOHNSON. Communists just do not believe in assassination as a method of social change, and—

Mr. RANKIN. You mean that as far as the Communist Party of the United States is concerned?

Mr. JOHNSON. Definitely.

Mr. RANKIN. Or generally?

Mr. JOHNSON. Definitely and generally. I mean that very specifically. It has nothing to do with it. We would say that anybody who harbors such a thought is not only not a Communist but an anti-Communist basically.

Mr. RANKIN. Would you extend that to cover the activities of various groups in the Soviet Union?

Mr. JOHNSON. As far as assassination is concerned, yes.

Mr. RANKIN. I thought there was information that they had people connected with the government who were engaged in trying to understand and be able to use methods of assassination.

Mr. JOHNSON. No.

Mr. RANKIN. You don't think that's true?

Mr. JOHNSON. Oh, no. That's not true. That's dissident groups, groups like that, not Communist groups.

Mr. RANKIN. You don't think that is a part presently of the Soviet Union—

Mr. JOHNSON. Definitely not.

Mr. RANKIN. And you don't think it is any part of the plans of the Communist Party of the United States?

Mr. JOHNSON. I know that a thousand percent. We have for years made it a point if anybody has such viewpoints they cannot ever be a member of the party. They are expelled et cetera. We specifically speak against any acts of terrorism or individual violence et cetera.

Mr. RANKIN. Did you have any contact with Columbia Broadcasting System in regard to news matters relating to Lee Harvey Oswald?

Mr. JOHNSON. That's what I was referring to before, that as soon as—yes, on the —I was trying to say the date, on the 23d, the day after the assassination, I called and issued a statement to all the news media in which I made it clear that Lee Harvey Oswald was not associated with us in any way and so forth, and they carried this on the radio or on television, I think one of them did. But it was also carried on the front page of the New York Times and through other papers. That was called in to all the stations, not just to Columbia. There was a seven-sentence statement.

Mr. RANKIN. Did you ever say that Lee Harvey Oswald was not given citizenship in the Soviet Union because they considered him a Fascist, or words to that effect?

Mr. JOHNSON. I don't recall that. I don't recall that.

Mr. RANKIN. Was that your belief?

Mr. JOHNSON. I never got involved in the reason, as I recall, as to why he was not given citizenship there. I assumed they had good reasons.

Mr. RANKIN. Did you ever see any writings or communications or anything to indicate that he had a Fascist philosophy?

Mr. JOHNSON. The only feature within that would be, within one of these letters, when he refers to the fact that he attended the Walker meeting down there in Dallas; another reported story of his volunteering to be on both sides as far as Cuba was concerned, and then the further point, and this is a matter of political orientation maybe as to why he was in contact with Senator Tower instead of Senator Yarborough; that is just pure speculation, it doesn't mean very much.

Mr. RANKIN. Most of his expressions in his correspondence that you produced indicated an interest and sympathy with the Communist Party rather than any Fascist group, didn't they?

Mr. JOHNSON. But the main point would be that this act is so contradictory to anything in the Communist viewpoint, and that would be the essential test, that any person who has that kind of a mentality could just as well be covering up in communications, and that would be one of the difficulties of it; but the act itself, you see, would be an act, that kind of act of terrorism based upon the climate and everything there which would have been an act from a Fascist-minded person instead of from a Communist-minded person.

Mr. RANKIN. Do you have any evidence or know of any evidence to indicate that this assassination was a rightist or extreme right plot of any kind, conspiracy?

Mr. JOHNSON. Not of evidence in that sense, no. If you draw conclusions from the materials that were being circulated in Dallas, that ad in the newspaper that morning, and the various communications of people, of the added hate atmosphere, the warnings that were made of that hatred, that was all of a rightist character.

Mr. RANKIN. But that wouldn't necessarily mean that there was any plot or conspiracy to assassinate President Kennedy, would it? Or does it to you?

Mr. JOHNSON. Well, I would rather think not. I mean I would rather think that nobody would proceed from any of this to the point of assassination. And there it is a matter I think where a person may have an opinion and not necessarily have evidence that could substantiate the opinion.

Mr. RANKIN. Or you could speculate easily?

Mr. JOHNSON. That is speculation.

Mr. RANKIN. Whether it was a rightist plot or there was a leftist plot?

Mr. JOHNSON. If there was a plot, it was only a rightist plot.

Mr. RANKIN. And you say that because you consider the act of assassination to accomplish political ends is not within the Communist Party philosophy; is that right?

Mr. JOHNSON. That is basically true. The second basic point would be the attitude of the Communist towards President Kennedy was one of high regard and respect, even though sharply differing on many things, but it was always that.

Mr. RANKIN. Mr. Johnson, do you have any other papers or knowledge bearing upon the assassination of President Kennedy that you haven't related here?

Mr. JOHNSON. No, I do not.

Mr. RANKIN. That is all I have, Mr. Abt. Do you have anything?

Mr. ABT. I have nothing.

Mr. RANKIN. Mr. Abt, may we ask you to be so kind as to be sworn and act as a witness for a brief moment?

Mr. ABT. Surely.

TESTIMONY OF JAMES J. TORMEY

The testimony of James J. Tormey was taken at 11:30 a.m., on April 17, 1964, at the U.S. Courthouse, Foley Square, New York, N.Y., by Messrs. J. Lee Rankin, general counsel and Wesley J. Liebeler, assistant counsel of the President's Commission. James J. Tormey was accompanied by his attorney, John J. Abt.

James J. Tormey, having been first duly sworn, was examined and testified as follows:

Mr. RANKIN. Give the reporter your name and your address.

Mr. TORMEY. James J. Tormey, T-o-r-m-e-y, 215 Willoughby Avenue, Brooklyn, N.Y.

Mr. RANKIN. Mr. Tormey, you received some correspondence from Lee Harvey Oswald, did you?

Mr. TORMEY. I received—a letter was referred to me from him.

Mr. RANKIN. Who referred the letter to you?

Mr. TORMEY. I don't know who it was, but apparently the letter which is addressed on the upper right-hand side to 23 West 26th Street was referred, and I don't remember who referred it.

Mr. RANKIN. Will you tell us what your position was at the time you received this referral?

Mr. TORMEY. Yes; I was the executive secretary of the Hall-Davis Defense Committee.

(Objects marked Tormey Exhibit No. 1.)

Mr. RANKIN. Mr. Tormey, will you examine Exhibit No. 1 on the deposition that you are giving today, which consists of several placard-type pieces of material, together with some plastic pieces, and tell us whether or not you have seen those before?

Mr. TORMEY. I have seen them before.

Mr. RANKIN. That Exhibit 1, I did not fully describe as I asked you to examine it. It also includes a little note purportedly from Lee Harvey Oswald, addressed to "Dear Sirs," with an address, 23 West 25th Street, apparently, New York.

Mr. TORMEY. I imagine that is 26th Street. I am not sure.

Mr. RANKIN. Twenty-six; yes. And that was a part of the Exhibit 1 that included these other materials that I have described, was it, when you received it?

Mr. TORMEY. That is right.

Mr. RANKIN. After you received Exhibit 1 with those various materials and that note on yellow paper, what did you do?

Mr. TORMEY. Well, after reading it over I answered to the person who signed the letter, stating that I would put it on file, expressing appreciation for sending them, that I would put it on file in the event that we would have any occasion to use his services.

(Document marked Tormey Exhibit No. 2.)

Mr. RANKIN. I hand you Exhibit No. 2 and ask you if that is a carbon copy of the answer that you prepared and sent.

Mr. TORMEY. Yes; it is.

Mr. RANKIN. Under our practice, the examining attorney is asked to initial the exhibit, and the witness too, so it will be established that we both—

Mr. TORMEY. Examined it?