

you are not feeling well. We appreciate your cooperation in coming in when you don't feel well like you have.

Mr. HAMBLEN. I appreciate it. I was in the X-ray all morning and yesterday morning for 2 hours.

Mr. LIEBELER. Thank you very much, Mr. Hamblen, for coming in. I appreciate it very much.

Mr. HAMBLEN. If I can help you any further, well, you have my address.

Mr. LIEBELER. We will get in touch with you.

TESTIMONY OF ROBERT GENE FENLEY

The testimony of Robert Gene Fenley, was taken at 9:45 a.m., on July 14, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. This is the deposition of Robert Gene Fenley. Mr. Fenley, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Fenley, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry. Now, I understand that you are appearing here today by virtue of a letter request mailed to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, which you received about 4 days ago?

Mr. FENLEY. That is correct.

Mr. HUBERT. Will you please rise so I may administer the oath? Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FENLEY. I do.

Mr. HUBERT. Will you state your full name?

Mr. FENLEY. Robert Gene Fenley.

Mr. HUBERT. G-e-n-e is your middle name?

Mr. FENLEY. Correct.

Mr. HUBERT. Where do you live, sir?

Mr. FENLEY. 3701 Strayhorn Drive, Mesquite, Tex.

Mr. HUBERT. What is your occupation, Mr. Fenley?

Mr. FENLEY. Reporter for the Dallas Times Herald.

Mr. HUBERT. How long have you been so employed?

Mr. FENLEY. Nine years.

Mr. HUBERT. How old are you?

Mr. FENLEY. Thirty-six.

Mr. HUBERT. Were you in newspaper work before you joined the Times Herald?

Mr. FENLEY. Yes.

Mr. HUBERT. With what newspaper?

Mr. FENLEY. Prior to the Times Herald, I was with the Lubbock Avalanche Journal, the Denton Record Chronicle, and the Pryor, Oklahoma, Times Democrat.

Mr. HUBERT. Did you go to college, sir?

Mr. FENLEY. I went to Oklahoma University.

Mr. HUBERT. Did you graduate?

Mr. FENLEY. Four years. No; I did not graduate.

Mr. HUBERT. Study journalism?

Mr. FENLEY. Yes; part of the time.

Mr. HUBERT. Your whole adult experience, I gather, therefore, has been in newspaper work?

Mr. FENLEY. That is true.

Mr. HUBERT. Now, do you know a Mr. Hamblen connected with the Western Union Co. here in Dallas?

Mr. FENLEY. Yes; I have talked with him on one occasion. I don't know him personally.

Mr. HUBERT. What was that one occasion?

Mr. FENLEY. The date is rather vague in my mind.

Mr. HUBERT. Can you tell us perhaps the occasion?

Mr. FENLEY. Yes; I am a stringer.

Mr. HUBERT. A what?

Mr. FENLEY. A stringer. A correspondent for Time magazine, and I had written a long piece which we transmitted by Western Union, and I had gone into Western Union to hand this over for transmitting, and I fell in conversation with Mr. Hamblen.

Mr. HUBERT. Had you known him prior to that time?

Mr. FENLEY. No; I had not.

Mr. HUBERT. Could you tell us about what time of day it was?

Mr. FENLEY. It was at night. I forget the exact time of night, but I believe I had driven from Mesquite with the story to give it to Western Union. It might have been 11 or 12 o'clock.

Mr. HUBERT. It happened that Hamblen was the clerk or employee of the Western Union in service?

Mr. FENLEY. Yes, sir.

Mr. HUBERT. Can you tell us how you came to engage him in conversation?

Mr. FENLEY. He noticed the wire or press message which I had, and it had to do with the assassination, or Oswald, frankly. I can't remember the content of the wire, but we sort of chatted there for a moment, and he recalled that he was certain that Oswald had come into the office on occasion.

I don't know whether he used the word several. I took it to mean that. And received some various small amounts of money orders. And certainly this was interesting to me. We kept chatting and I asked him, now how big were the amounts of the orders, and he said, "I don't think there would be anything over \$15, \$10 or \$15." And I asked him, "Now, you are pretty sure this was Oswald? I mean, the guy you have seen in the pictures and things like that?" And he replied he was. He said, "He used to come in and would give the girls a hard time. He was a cantankerous individual."

Mr. HUBERT. Did he mention what girls?

Mr. FENLEY. No; not by name. So he said, "I believe the last time"—and he couldn't recall the date or anything—"that he came in, he went himself to wait on the fellow because he knew that he was sort of difficult to deal with." Well, this was certainly interesting to me as a newspaperman.

Mr. HUBERT. Had you heard that story before?

Mr. FENLEY. No; I had not.

Mr. HUBERT. In other words, your coming upon this story was something of a gratuity?

Mr. FENLEY. It certainly was. I was slightly amazed. And the other thing, there was a marble countertop there in the office, and he said, or he recalled that Oswald had written in what he described a curious sort of printing with, as best he could tell, he wrote out some letters. For instance, an "N" he said as printed by Oswald would have a high rising right side to it. He said it was a rather curious sort of printing.

Mr. HUBERT. Did he demonstrate that to you?

Mr. FENLEY. He demonstrated this on the marble.

Mr. HUBERT. Hamblen did so?

Mr. FENLEY. Yes.

Mr. HUBERT. Did he indicate that it was in a foreign alphabet?

Mr. FENLEY. No.

Mr. HUBERT. Just a peculiar art?

Mr. FENLEY. I took it to be certainly the English alphabet, but with a peculiar sort of printing.

Mr. HUBERT. Did he indicate what was the nature of the difficulty that he had had on previous occasions with the man he said was Oswald?

Mr. FENLEY. Nothing other than an indication that Oswald was difficult to deal with.

Mr. HUBERT. But he didn't say how he was difficult to deal with?

Mr. FENLEY. No; not specifically. Well, at this moment I thought, well, this sounds like quite an interesting story. And Hamblen gave me his card. So I went home, and the next day——

Mr. HUBERT. How long was the conversation?

Mr. FENLEY. Oh, not over 10 minutes long. I asked him also, which I failed to mention, how could we get the records, or how could anyone get the records, and he indicated it would be very difficult.

Of course, this would be very helpful if you would get the names or the identification of people who had sent any money orders to Oswald, and he indicated that there were so many of that type of money order coming in that they just couldn't keep all the records. And I got the impression that it would be either impossible or almost impossible to run it down.

Mr. HUBERT. You mentioned, I think, that you were particularly interested as to the certainty of his identification of Oswald as the man, and that you made some inquiry along that line?

Mr. FENLEY. Yes.

Mr. HUBERT. What did you do by way of testing him, as it were, on that identification?

Mr. FENLEY. Well, as I said, I went home that night, and, of course, we don't have—we are an afternoon newspaper and don't have deadlines until the morning.

The next morning I went to talk to our police reporter, whose name is George Carter, and I hold him what Hamblen had told me. I said I am not too sure of it. I think it needs a double check. And he said, well, I know the guy.

Mr. HUBERT. Meaning Hamblen?

Mr. FENLEY. Yes; he said he knew the fellow over at Western Union, and he said, "I know he is in at Mike's, which is a little barbecue stand across from the city hall." Hamblen would come into Mike's on occasion, and George knew him.

And I said, "George, why don't you go talk to him and see if he will tell you the same thing?" And George did. When he did, we compared notes, and he had told George just precisely, as best we knew, the same content he told me. So George wrote the story.

Mr. HUBERT. Did you yourself make any notes contemporaneously with the conversation with Hamblen or later?

Mr. FENLEY. No; I may have made some at home, jotted down a couple of things on a scrap of paper. In fact, I know I did.

Mr. HUBERT. Is that available?

Mr. FENLEY. I doubt it. I am sure I have thrown it away. I was very interested in the story, but I was sort of afraid to take notes in front of him, since a lot of people will suddenly freeze up when you start taking notes.

Mr. HUBERT. But to come back to the question of identification, I think you mentioned that it struck you that that was the key to the story, as it were?

Mr. FENLEY. Yes.

Mr. HUBERT. Did you press him in any way about the identification?

Mr. FENLEY. Not a great deal. I really, after asking another question about it, saying, "Now you really feel like you saw Oswald," then I didn't press the matter any further, because I was afraid he would freeze up.

Mr. HUBERT. I understand too that his identification, as he stated it to you, was based upon comparison of the mental image he had of the man that had come in with the pictures of Oswald he had seen since the assassination?

Mr. FENLEY. On television. And frankly, for that reason, I wasn't too darn sure that he knew what he was talking about. So I mean, you always have this

suspicion that somebody is trying to identify in the case or something, and this is precisely why I went to Carter and said, "Why don't you talk to him?"

Mr. HUBERT. In other words even on that day you were wondering whether this man really had seen Oswald or not?

Mr. FENLEY. Yes.

Mr. HUBERT. Did he mention to you anything about Oswald having come to collect any money order in company with the person of Spanish or Latin American appearance?

Mr. FENLEY. No; he did one thing, and I am really squeezing my memory here. I believe he said he thought he lived at the "Y" on one occasion, that he came over again—I am not too certain of that because all of this business is really, there is so much of this jumbled up, but I do believe he said he thought he was living at the "Y."

Mr. HUBERT. There was no other person present when you spoke to Hamblen?

Mr. FENLEY. There were people in the foyer of the office.

Mr. HUBERT. But no one in this conversation?

Mr. FENLEY. No one immediately.

Mr. HUBERT. Did Hamblen know who you were?

Mr. FENLEY. I think so, being that I did send the telegram addressed to Time, Inc., and signed Robert Fenley of Dallas Times Herald.

Mr. HUBERT. Did this conversation occur after your story had been filed, or while it was being filed, or interspersed?

Mr. FENLEY. Interspersed.

Mr. HUBERT. And he volunteered all of this?

Mr. FENLEY. Yes.

Mr. HUBERT. I mean the beginning of it?

Mr. FENLEY. Yes; I certainly forgot what preceded his volunteering it, but it was a volunteered thing. Certainly I couldn't have had any information to question him.

Mr. HUBERT. In fact, you did not have any information about this at all?

Mr. FENLEY. No; it took me rather by surprise.

Mr. HUBERT. Now there is one other matter. You indicated you didn't know what day this occurred on, and I wonder if there is any way you could fix it? It would have been, I suppose, after the shooting of Oswald?

Mr. FENLEY. Yes; certainly.

Mr. HUBERT. How long after?

Mr. FENLEY. It wasn't too long after that. Now I remember one other person who came in, and oddly enough he didn't hear the conversation, but there is sort of a coincidence that at the door was a fellow by the name of Marsh Clark who is also a full-time Time man.

Mr. HUBERT. With what?

Mr. FENLEY. I believe he is in Detroit or Chicago.

Mr. HUBERT. With what?

Mr. FENLEY. Time. And also I saw that he had a long thick file, and I casually inquired who he was with, and it turned out he was with Time also. Marsh, I don't believe—in fact I am fairly certain—did not hear what Hamblen had told me.

Mr. HUBERT. Did Marsh Clark come in, or did you see him after your conversation was over?

Mr. FENLEY. Yes; I made myself acquainted to him after the conversation with Hamblen, but he was the only other person that I could identify as being there. I was trying to think by that—now Marsh was still in town, so it must not have been—we could go back to the file on this thing and find that story, and it would have been about 2 days before that story appeared.

Mr. HUBERT. Let me make this point to you. I notice from the calendar that I have before me of the year 1963 that November 28 was Thursday and was Thanksgiving. Could you relate this meeting with Hamblen to that date?

Mr. FENLEY. It seems to me it might be—my memory on these things is terrible—but it seems to me that it might have been around Thanksgiving, now that you mention it.

Mr. HUBERT. Would you say that it was within the week immediately succeeding the shooting of Oswald?

Mr. FENLEY. I couldn't be positive, but I think it could have been; yes. This could be checked very easily by going to the newspaper file and getting the date and then going back a couple of days.

Mr. HUBERT. This Mr. Carter, I think you said, checked with Mr. Hamblen? That is, he told you he did?

Mr. FENLEY. Yes.

Mr. HUBERT. On the same day that you told him about it, which was the next day?

Mr. FENLEY. The next day after; yes.

Mr. HUBERT. I think you mentioned that he said that you suggested that he check it out with Hamblen, and that he did right away, or in a few hours?

Mr. FENLEY. I would have written the story myself, except I felt a little dubious, I must say, of it and I wanted George to do the same thing and see if the story matched. So now, frankly, I am not too positive when George actually talked to Hamblen, but I believe the story appeared on a Saturday morning. So if it could have been Thanksgiving, if Thanksgiving would be on a Thursday, and George talked to him on Friday, it would appear for the Saturday paper.

Mr. HUBERT. But you have a recollection that Clark spoke to you after having spoken to Hamblen?

Mr. FENLEY. Yes; I am certain of that.

Mr. HUBERT. Before the story appeared?

Mr. FENLEY. Yes.

Mr. HUBERT. And told you that the story he got from Hamblen was about the same as what you told him Hamblen told you?

Mr. FENLEY. You mean Carter?

Mr. HUBERT. Yes; George Carter.

Mr. FENLEY. Yes.

Mr. HUBERT. Is there anything else, sir, you would like to comment upon concerning this matter?

Mr. FENLEY. No; Gee, I wish I—I am still very curious about this, but what results, if any, this yielded, frankly, I don't mean this for the record, but I frankly heard that he recanted the tale.

Mr. HUBERT. Let me ask you this. This is a part of the formality of closing these depositions. I don't think, and I ask you to state whether you concur, that there has been any conversation between us this morning other than that which has been recorded in this deposition?

Mr. FENLEY. No.

Mr. HUBERT. You do concur?

Mr. FENLEY. I concur.

Mr. HUBERT. Thank you very much, sir.

Mr. FENLEY. Yes, sir.

TESTIMONY OF AUBREY LEE LEWIS

The testimony of Aubrey Lee Lewis was taken at 11:30 a.m., on July 14, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Dean Robert G. Story, special counsel to the attorney general of Texas and Sam Kelley, assistant attorney general of Texas, were present.

Mr. HUBERT. This is the deposition of Aubrey Lee Lewis. Mr. Lewis, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission. Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report