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Commission Exhibit 1788

The following information is set forth concerning the circumstances surrounding the recent publication of a photograph of LEE HARVEY OSWALD holding a rifle and a pamphlet with a revolver on his hip which appeared in LIFE Magazine and other publications:

The original photograph in question is one of 47 photographs found during the search of property of LEE HARVEY OSWALD in the garage of Mrs. RUTH PAINE's residence, 2515 W. 5th Street, Irving, Texas, on November 23, 1963, by homicide and robbery detectives G. F. ROSE, H. M. MOORE, R. S. STOVALL, and J. D. ADAMCIK, Dallas Police Department.

These 47 photographs were turned over to the FBI on December 2, 1963, by Captain J. W. FRITZ, Homicide and Robbery Bureau, Dallas Police Department.

On February 27, 1964, MARINA OSWALD advised SAs WALLACE R. HEITMAN and ANATOLE A. BOGUSLAV that she had originally taken the photograph of LEE HARVEY OSWALD with a rifle and pistol which had recently appeared on the front page of LIFE Magazine. She stated she took this picture with the American-made Imperial Reflex camera owned by OSWALD and that the picture was taken in the yard at their Neeley Street address in Dallas, Texas. She stated she could only recall that she snapped the camera one time but she stated she must have snapped it twice because there were two different poses of OSWALD with the rifle. She stated she believes OSWALD developed the film and printed one copy each of the poses as far as she knows. These prints he gave her and inscribed each on the back to his daughter JUNE. He told MARINA for her to show them to JUNE after he had gone away. He did not explain to MARINA what he meant by going away.

MARINA stated she had placed the pictures in the baby photograph album which she had. On November 22, 1963, following her questioning by the Dallas Police she and MARGUERITE OSWALD, mother of LEE HARVEY OSWALD, were at the residence of Mrs. RUTH PAINE, 2515 W. 5th Street, Irving, Texas, and she (MARINA) showed MARGUERITE OSWALD the photographs of LEE HARVEY OSWALD with the rifle. MARGUERITE told MARINA to hide the photographs and MARINA did hide them in a shoe at the PAINE residence. On the next day,

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MARINA was again questioned by the Dallas Police following which questioning MARGUERITE OSWALD asked MARINA what she had done with the pictures of LEE HARVEY OSWALD with the rifle. She replied she had hid them and MARGUERITE told her to burn them. MARINA advised she burned these two photographs on November 23, 1963, at the PAINE residence. She does not recall that there were other prints in existence. She stated however that there must have been other prints in existence because of subsequent happenings. She stated while she was residing at the home of JAMES HERBERT MARTIN, her former business advisor, and prior to the release of the LIFE Magazine which contained the photograph of OSWALD on the cover, she was told by MARTIN that he had sold the photograph of OSWALD with the rifle to LIFE Magazine for \$5,000.

MARINA OSWALD advised that her former attorney, JOHN M. THORNE, on about February 11, 1964, told her at the home of Mr. and Mrs. DECLAN P. FORD, 14057 Brookcrest, Dallas, Texas, that it was he who had sold the photograph of OSWALD with the rifle to LIFE Magazine for \$5,000.

MARINA OSWALD stated as far as she knows, LIFE Magazine has not paid \$5,000. She has not received any money for the photograph. She stated further that neither MARTIN nor THORNE asked her permission to sell the photograph and she had not given authority to either of them to sell the photograph.

The following investigation was conducted by SA JAMES W. BOOKHOUT:

On February 27, 1964, Captain J. W. FRITZ, Homicide and Robbery Bureau, Dallas Police Department, advised he did not know how many copies of the photograph of OSWALD with a rifle which had appeared in several publications had been made. Captain FRITZ recalled that on November 23, 1963, he had requested the Identification Division of the Dallas Police Department to make up a few enlarged copies of said photograph for aid in the investigation and one copy of the enlarged photograph was furnished to the FBI at Dallas, Texas, and one to U. S. Secret Services, Dallas, Texas, on November 23, 1963. The enlarged copy received by the FBI at Dallas was furnished to FBI Headquarters on November 24, 1963.

Captain FRITZ stated to his knowledge copies of said photograph and others have been furnished to the Texas Attorney General's Office and to Assistant District Attorney for Dallas County, BILL ALEXANDER. Captain FRITZ stated no copies of said photograph, to his knowledge, were furnished to any news media and that Assistant Chief of Police GEORGE LUMPKIN reportedly has a record of the dissemination made of the photographs in this case.

Captain FRITZ advised it would have been possible for some member of the OSWALD family to have had another copy of the photograph in question, however; he felt that the photograph with the cards of OSWALD's which appeared in LIFE Magazine, had to have come from those originally in the possession of the Dallas Police Department.

On February 27, 1964, Captain GEORGE M. DOUGHTY, Identification Division, Dallas Police Department, advised his department has no record of the number of copies made of the photograph in question or of the dissemination made of same. DOUGHTY recalled that a number of photographs in instant case had been made up by Assistant Chief of Police GEORGE LUMPKIN.

Captain DOUGHTY stated to his knowledge no photographs in instant case were ever disseminated to any news media of any type.

On March 2, 1964, Assistant Chief of Police GEORGE LUMPKIN, Dallas Police Department, advised he did not know how many copies had been made of the photograph in question. He stated the only copies of said photograph known to have been disseminated were to the FBI, U. S. Secret Service, Attorney General's Office, and to the Dallas County District Attorney's Office. Assistant Chief LUMPKIN stated no copies were ever authorized for dissemination to any news media of any type.

On March 2, 1964, Lt. CARL DAY, Identification Division, Dallas Police Department, advised that on November 23 and 24, 1963, a large number of copies were made of the photograph in question and were laid out for use of investigating officers. Lt. DAY stated his instructions had been to give the FBI and the U. S. Secret Service anything they wanted. Lt. DAY advised when he returned to work on November 25, 1963, he found all of the photographs gone and it was necessary to make up some more. He stated he has no record of the dissemination of these photographs. He recalls when the photographs were laid out, numerous officers examined them and it is possible some were taken by these

unrecalled officers without his knowledge. Lt. DAY estimated he had made at least 24 copies of said photograph and possibly more. Lt. DAY stated that about four days to a week after November 22, 1963, an order was put into effect that photographs in instant case were to be disseminated only on authority of the Chief's Office. Prior to this time, there is no way to tell how many photographs were given out or to whom given.

Lt. DAY stated that since said order, six sets of photographs (50 to 60 photographs which would include the photograph of OSWALD holding the rifle) were made for Assistant Chief of Police GEORGE LUMPKIN on December 7, 1963, and later five additional sets were sent to Assistant Chief LUMPKIN reportedly for the Attorney General's Office. Lt. DAY stated also that on December 4, 1963, Patrolman GLASSCOCK, Department of Public Safety, was given two sets of eleven photographs for Governor CORNALLY, however, he is not sure that the photograph of OSWALD holding the rifle was included in this group.

Lt. DAY stated he has no knowledge of said photograph being given to any news media of any type.

On March 2, 1964, Captain J. W. FRITZ, Homicide and Robbery Bureau, Dallas Police Department, advised that NEWSWEEK Magazine of March 2, 1964, has an article on Page 80 concerning the photograph of OSWALD holding a rifle wherein it is stated that said photograph was purchased from JAMES MARTIN, business advisor of MARINA OSWALD, by LIFE Magazine. This article further stated that "unfortunately for LIFE, at least two other packets of OSWALD's photographs were subsequently being circulated (but not by MARTIN). GENE ROBERTS, an enterprising 31-year-old reporter for the Detroit Free Press, decided to go after them and managed to buy some twenty photographs (including the two LIFE had bought)."