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mind that it was, but to say definitely we must complete our investigation and our tests.

Q: Where is Oswald at this moment?

STEVENSON: He is in the cell on the fourth floor of the city jail.

Q: Has he had breakfast?

STEVENSON: I believe he has. I believe they feed up there at about 8.

Q: Can you tell us what activities are going on at the moment as far as investigation of the case goes?

STEVENSON: No, sir, I cannot. I wouldn't be in a position to divulge information on that, on investigations we have underway until we have completed them.

Q: Could you say whether any new evidence has been uncovered -- any evidence in addition to the murder weapon and the --

STEVENSON: Not since we stopped last night when the case was filed. No additional evidence has come up to my knowledge since that time.

Q: Chief, thank you very much.

COMMISSION EXHIBIT No. 2167--Continued

WBAP Audio reel 12 "A"
NBC-TV reels 23, 35
WFAA-TV reels HCT 27, 16
WFAA-TV reel HCF 1
KRLD-TV reel 17
Sunday P.M., November 24, 1963

PRESS CONFERENCE WITH DISTRICT ATTORNEY HENRY WADE
DALLAS POLICE AND COURTS BUILDING

WADE: The purpose of this news conference is to detail some of the evidence against Oswald for the assassination of the President. This evidence was gathered by--largely by--the Dallas police who did an excellent job on this with the help of some of the Federal agencies, and I am going through the evidence piece by piece for you. Number one, some of this you will already know, some of it you won't, I don't think. As all of you do know, first, there is--we have a number of witnesses that saw the person with the gun on the sixth floor of the Book Store Building. The window--detailing the window where he was looking out--inside this window the police found a row of books, cases, boxes hiding someone sitting in the window from people on the same floor looking in. On the window was some boxes where--in the little circle around the window by the book cases--some boxes where apparently the person was sitting, because he was seen from that particular window.

On this box that the defendant was sitting on, his palmprint was found and was identified as his. The three ejected shells were found right by the box. The shells were of an odd caliber of the type and later determined, the gun, that was found on the floor. The gun was hidden on this same floor behind some boxes, some book cases. It, as I think you know, has been identified as having been purchased last March by the, Oswald, from a mail-order house by a--through an--

COMMISSION EXHIBIT No. 2168

assumed name, named Hidell, mailed to a post-office box here in Dallas. On his person was a pocket book. In his pocket book was identification card with the same name and post-office box on it. Pictures were found of the defendant with this gun and a pistol on his--in his holster.

Immediately that morning--it was unusual, but that morning--a neighbor brought the, Oswald from Irving, Texas. He usually brought him on Monday morning, I think, but this day he went home one day early on Thursday night and came back to--with this fellow--and when he came back he had a package under his arm that he said was window curtains, I believe, or window shades. The wife had said he had the gun the night before; it was missing that morning after he left. He got out around 8 o'clock and went to the building behind some cars and went to work.

A police officer, immediately after the assassination, ran in the building and saw this man in a corner and started to arrest him, but the manager of the building said that he was an employee and was all right. Every other employee was located but this defendant, of the company. A description and name of him went out by police to look for him.

The next we hear of him is on a bus, where he got on a bus at Lamar Street; told the bus driver the President had been shot. The President [he] told a lady who--all this was verified by statements--told a lady on the bus that the President had been shot. He said, how'd he know. He said that a man back there had told him. He went back to talk to him. The defendant said, "Yes, he's been shot," and laughed very loud.

COMMISSION EXHIBIT No. 2168--Continued

Q. This was to a lady?

WADE. A lady.

He then--the bus--he asked the bus driver to stop, got off at a stop, and caught a taxicab driver.

Q. Where?

WADE. In Oak Cliff--I don't have the exact place--and went to his home in Oak Cliff, changed his clothes hurriedly, and left.

As he left, three witnesses saw a police officer, Officer Tippit, motion to him or say something to him. He walked up to the car, Officer Tippit stepped out of the car, and started around it. He shot him three times and killed him.

Q. Was this in front of the boarding house or near it?

WADE. No. It's not in front of the boarding house.

Q. How near is it?

WADE. I don't have the exact--. It's more than a block. It's a block or two.

Q. Was he on foot when Tippit saw him?

WADE. Yes, he was on foot, and apparently headed to the Texas Theatre. He then walked across a vacant lot. Witnesses saw him eject the shells from the revolver and place--reloaded the gun. Someone saw him go in the Texas Theatre. A search was made of that later by a number of police officers. At the time, an officer of the Dallas police spotted him and asked him to come out. He struck at the officer, put the gun against his head, and snapped it, but did not--the bullet did not go off. We have the snapped bullet there. Officers, officers subdued him at that time.

COMMISSION EXHIBIT No. 2168--Continued

Q. Was that an attempted suicide, sir?

Q. Against his head or the officer's?

WADE. Against the officer's head.

Q. Which officer?

Q. Do you know why the gun didn't go off?

WADE. McDonald was his name.

Q. Do you know his first name?

WADE. It snapped; it was a misfire. Then officers subdued him--some six officers subdued him there in the Theatre, and he was brought to the police station here.

Q. Mr. Wade, why didn't the gun fire?

WADE. It missed the firing pin on the pull, the shell didn't explode. It hit it, but it didn't explode. It didn't fire the shell.

Q. There was one officer who said that he pulled the trigger, but he managed to put his thumb in the--in the part before the firing pin. It didn't strike the bullet, or really explode it out.

WADE. I don't know that. I know he did snap the gun, is all I know about it.

Q. We can say that it was a misfire?

WADE. It didn't fire.

Q. What other evidence is there?

Q. Let's get the story again.

COMMISSION EXHIBIT No. 2168--Continued

WADE. Let's see. The--his fingerprints were found on the gun. Have I said that?

Q. Which gun?

WADE. On the rifle.

Q. You didn't say that.

Q. What about the paraffin tests?

WADE. Yes, I've gone into that. The paraffin tests showed he had recently fired a gun. It was on both hands.

Q. On both hands?

WADE. Both hands.

Q. Recently fired a rifle?

Q. A gun?

WADE. A gun.

Q. The rifle fingerprints were his? Were Oswald's?

Q. Were there any fingerprints--?

WADE. Yes, sir. Palmprints rather than fingerprints.

Q. Were there palmprints on the gun?

Q. Were there any fingerprints at the window?

WADE. Yes, on--

Q. On the rifle?

WADE. Yes, sir.

Q. Where are--on the gun?

WADE. Under, on part of the metal, under the gun.

Q. Did he still ever say anything about it? Admit anything at all?

COMMISSION EXHIBIT No. 2168--Continued

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WADE. He never did admit, admit any of the killings. Now I didn't--you ask me this--I didn't do any interrogation of him.

Q. I thought maybe you'd listed that as part of the evidence.

WADE. No, it is not listed here.

Q. Did he display any animosity towards the President? Any conversation with any officers?

WADE. He was bitter toward all of the officers that examined him, is what I've been told.

Q. Will you continue, sir, and we'll question you later.

Q. Let's finish this--

WADE. We, have, that's about all.

Q. How about ballistics tests?

Q. Ballistics test, Mr. Wade?

WADE. Well, I've said this was the gun that--

Q. Killed the President?

WADE. Yes.

Q. Does the FBI report elaborate-- ?

Q. Did the ballistics-- ?

WADE. I won't go-- I'm not at liberty to go into the FBI report.

Q. Did you say the gun was mailed to a post office box in Dallas in March?

WADE. March of this year.

COMMISSION EXHIBIT No. 2168--Continued

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Q. Was he living in Dallas then?

WADE. Yes. I presume he was. He got it here.

Q. I see.

Q. Previously he lived in New Orleans?

Q. He said he'd only been here two months, Mr. Wade--

WADE. He came to Fort Worth sometime in the fall of '62. And then moved here awhile and apparently went to New Orleans for a while and came back. Now when the period of that is, I'm not sure.

Q. Mr. Wade, what was the evidence that we were told was startling evidence that could not be told to the press Saturday morning? They said it came in Saturday morning and that it could not be revealed. It was--

WADE. I don't know. That wasn't me that said that, I don't think.

Q. Have you given us everything that-- ?

WADE. I've given you everything that I--

Q. Do you know whether he's been recognized as a patron of Ruby's nightclub here?

WADE. I don't know that.

Q. Do you know of any connection between Mr. Ruby and-- ?

WADE. I know of none.

Q. Are you investigating reports that he might have been slain because Ruby might have feared he would implicate him in something?

COMMISSION EXHIBIT No. 2168--Continued

WADE. The police are making an investigation of that murder. I don't know anything about that.

Q. The investigation-- ?

WADE. Although charges have been filed, it will be presented to the grand jury on Rubin immediately within the next week and it'll probably be tried around the middle of January.

Q. Has the District Attorney's office closed its investigation of the assassination of the President?

Q. When did you know that-- ? Before sending the gun to Washington?

WADE. Before.

Q. Before sending the gun to Washington?

WADE. Yes.

Q. Do you think it was unusual for Jack Ruby to be in that crowd?

WADE. I don't pass on that. Unusual to be in that crowd?

Q. There are reports that he had planned to--

WADE. Well, I wasn't, I haven't been here since last night so I don't know anything about it--today's happenings.

Q. Mr. Wade, how do you feel about not being able to try Oswald as the killer of President Kennedy?

WADE. Well, we will try Ruby and ask the death penalty on him, about the same time.

Q. Well, how about-- ?

COMMISSION EXHIBIT No. 2168--Continued

WADE. I don't want to go into why's or wherefore's on anything.

Q. Has your office closed its investigation into the death of President Kennedy?

WADE. No, sir. The investigation will continue on that with the basis, towards, and we have no concrete evidence that anyone assisted him in this. But the investigation I'm sure will go on with reference to any possible accomplice or-- that assisted him in it.

Q. Do you have any suspicion now that there were?

WADE. I have no concrete evidence nor suspicions at present.

Q. Would you be willing to say in view of all this evidence that it is now beyond a reasonable doubt at all that Oswald was the killer of President Kennedy?

WADE. I would say that without any doubt he's the killer-- the law says beyond a reasonable doubt and to a moral certainty which I--there's no question that he was the killer of President Kennedy.

Q. That case is closed in your mind?

WADE. As far as Oswald is concerned, yes.

Q. Mr. Wade, will we be able to have copies of the photographs showing Oswald-- ?

WADE. If you have them, you'll have to get them from the Dallas Police.

COMMISSION EXHIBIT No. 2168--Continued

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Q. What do you think was the motive of Ruby?

WADE. I don't know. I haven't talked with him.

Q. Mr. Wade, what do you feel is the strongest evidence on that list?

WADE. Well, it's like any case based on a series of circumstances. They all have to fit together. You put a man in the window with a gun. People cannot positively identify him from the ground. He fits their general description. You have his fingerprints there. You have the shells there. You have his gun that he purchased--

Q. What do you think was Oswald's motive?

WADE. Don't--can't answer that.

Q. Did you find any fluctuation in Oswald's bank account or his finances?

WADE. I know of nothing, know nothing about that.

Q. Mr. Wade, his palmprint, was it found on both the gun and the boxes?

WADE. Yes, sir.

Q. On both of them?

WADE. Both of them.

Q. The rifle and the box-- ?

Q. Mr. Wade, was-- ?

WADE. They were found by the Dallas police.

Q. How do you explain-- ?

COMMISSION EXHIBIT No. 2168--Continued

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WADE. They were co-workers that left him there around 12 o'clock to go to eat lunch. I didn't mention that witnesses put him on the fourth floor at 12 o'clock and shortly thereafter.

Q. Fourth floor?

WADE. I mean the sixth floor.

Q. Where the box is?

WADE. Where the box is.

Q. What did you say the ballistics -- I missed the part about the ballistics test.

WADE. This was the gun. The bullet from this gun killed the President.

Q. Was that from the FBI, sir?

WADE. I can't go into anything from the FBI. I'm not at liberty to.

Q. -- the story that Oswald and Ruby were previously acquainted?

WADE. I think I heard it on radio, or something, but I don't know anything about it.

Q. Will we have a chance to talk to Ruby?

WADE. I have not talked with--no, sir, I have not talked with either one of them.

Q. But will we get a chance to talk to him, or something?

WADE. I don't know anything about that. This was entirely about going over the evidence that I thought some of you would want.

COMMISSION EXHIBIT No. 2168--Continued

Q. Did you know Ruby before?

WADE. No, sir. Saw him in this very same room Friday night when we had the defendant up here.

Q. Were you at the steak party for the Texas Bar Association in the Adolphus Hotel? Were you there?

WADE. No, sir, I wasn't there. As a matter of fact, some of, oh, excuse me. If some of you will recall, he asked a question from out here in the audience or answered a question. He was standing right back here and I didn't know who he was. I thought he was a member of the press. And he told me as we walked out of here that he was a nightclub operator.

Q. What question did he ask?

WADE. What?

Q. What question did he ask?

WADE. I don't remember, but he --

Q. He answered one question.

WADE. Maybe it was an answer, but he said something. I don't--

Q. You remember it was Friday night when I asked you to do an interview with me on the phone. You had another call and Ruby was hanging around in the background. You were on the phone, and I said, and then you had to go away and I asked Ruby, because he seemed to me like a detective, he seemed to be all over this place-- I said could you see if you could get him on the phone and he-- he went around and he got you and brought you to my telephone.

COMMISSION EXHIBIT No. 2168--Continued

WADE. It might have been where he told me who he was-- I didn't know who he was either, when he, I think someone here answered that question in that he answered a question. Somebody asked something and he answered it back there. I don't know what it was. I think it was some question about a street or an address or a name, or something.

Q. He looked to be like your good friend, I don't know.

Q. Do you feel that list is complete? Anything is withheld by Government agencies, Federal Bureau of-- ?

WADE. This is all that I know of.

Q. That's all you know?

WADE. Yes.

Q. In arguing this case, what would you use as a theory as to his motive?

WADE. Well, of course, that has to develop. You have to develop that from all of the evidence and I can't go into motive. It depends on what you get in evidence. If you get everything that's been written in the papers in evidence, you could put a pretty good motive there, but I don't--a lot of that I don't think would be admissible.

Q. What can you tell us-- ?

WADE. And you gotta base your motive on what you have before the jury.

Q. What can you tell us so far about your investigation of Jack Ruby?

COMMISSION EXHIBIT No. 2168--Continued

WADE. I haven't had anything to do with it. I was, I haven't, no, I know nothing about it.

Q. Will you be involved?

WADE. I will try him, prosecute him.

Q. Is the Justice Department heading up that investigation?

WADE. As far as I know the Dallas police is.

Q. How would you evaluate the work of the Dallas police in investigating the death of the President?

WADE. I think the Dallas police did an excellent job on this and before midnight on when he was killed had the man in custody and had sufficient evidence what I think to convict him.

Q. Mr. Wade, could you identify the gun positively as the one that was purchased--and the gun which--?

WADE. It can be positively identified.

Q. -- serial number?

WADE. Serial number.

Q. -- by serial number?

WADE. Serial numbers--and both that and on the scope too.

Q. Oh, he bought the scope off?

WADE. No, the scope was on the gun but, of course, a different person makes it, a different company makes the scope.

Q. When he bought the gun, did he buy the gun with the scope? A unit?

WADE. The scope was on it when he purchased it.

COMMISSION EXHIBIT No. 2168--Continued

Q. Do you know what kind of gun it was?

WADE. I don't have the exact--it was a foreign made gun of 6--6.5 millimeters, and I understand is a used gun of Italian make, probably.

Q. You say that--?

WADE. It was mounted as I understand it when it came.

Q. Do you see that the easy availability of guns such as this requires new and more stringent laws?

WADE. That is an old question that's been off-- It's obvious if you didn't have any guns you probably wouldn't have any murderers with guns, but it's nearly impossible to keep a person who wants to kill from finding a gun somewhere.

Q. Do you know Oswald's activities nine or ten days ago?

WADE. I never heard of him until he was arrested and brought in here.

Q. Mr. Wade, the State Department put out some information in Washington that related the importance of telling this evidence to the American people to a situation that's developing in Russia, as a Russian Marxist mentioned in relation to Oswald's background. Can you tell us anything in your evidence that relates to a Marxist background?

WADE. No, sir, I can't. There's some things found on him like newspapers and things--didn't necessarily connect him with

COMMISSION EXHIBIT No. 2168--Continued

the organization, like the Communist Daily Worker, or something. I don't think you can necessarily say he was--the fact he read it doesn't necessarily mean that he's, you couldn't prove that he belonged to it. I've read quite a bit about this subject. I know what you're talking about, but I've read interviews from reporters from over in Russia all on this subject but apparently they know quite a bit more about it than I do.

Q. Was there material found here?

WADE. There's no material that said he belonged to any group other than this Fair Play for Cuba, that I know of--

Q. Nothing found in his room--?

WADE. There's lots of material dealing with that movement thing.

Q. Henry, were you ever able to ascertain whether he went to Washington and took part in the House Un-American Activities Committee riot?

WADE. I know nothing about that. I don't think he told anybody he was and I don't know of any, not to my knowledge. I assume someone has been trying to check that but I don't know anything on that subject.

Q. Did Ruby do that? Were you answering about Ruby or Oswald?

WADE. This was about Oswald, wasn't it? I don't know of anything on either one of them upstairs, for that matter. I believe that's about it.

COMMISSION EXHIBIT No. 2168--Continued

Q. Thank you, Henry.

Q. Mr. Wade, I'd like to ask you one more question. Why did you call us tonight and why did you go over this evidence?

WADE. Well, there's a lot of reasons. Probably the main one--I received a call from Paris, France, and Stockholm, Sweden, and nearly every foreign country asking me about this evidence and I thought from those newsmen in those countries--

Q. Did Robert Kennedy or anyone from his office--?

WADE. I have heard nothing from any of the -- from Washington or any of the officials in this country on this matter. But I decided, that I heard, I've had, a number of newsmen call me from all over the world wanting to know why and it wasn't, and I thought in my own mind--decided that it's a good idea. So, --

Q. Are you aware that the Justice Department before you made this announcement and before you came into the building tonight had said that new evidence, the evidence would all be released and given to newsmen--

WADE. No, sir, I'm not familiar with that other than as I walked out of the door one of the--one of your men--I think, called me and told me that there was something on that--that they were considering that, but I was already up and was coming out to see you. It had nothing to do with me getting this ready.

COMMISSION EXHIBIT No. 2168--Continued

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Q. Is there any doubt in your mind that if Oswald was tried that you would have, have him convicted by a jury? With the evidence you have.

WADE. I don't think there's any doubt in my mind that we would have convicted him, but, of course, you never know what. We've had lots of people we thought that somebody might hang the jury or something, but there's no question in my--

Q. As far as you are concerned, the evidence you gave us, you could have convicted him?

WADE. I've sent people to the electric chair on less.

Q. This was more than enough then?

WADE. Yes.

Q. Will you seek the death penalty for Ruby?

WADE. Yes.

Q. Even if he pleads guilty?

WADE. Yes.

Q. Is it an automatic death penalty?

Q. Does the FBI have additional evidence?

WADE. I don't know. I don't know. I'm not--I don't know what they have.

Q. Sir, do you know when you'll present the Ruby case to the grand jury?

COMMISSION EXHIBIT No. 2168--Continued

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WADE. Within a week, I said. I might say on this that, you asked about the penalty on this. This latter case was an assassination of a man under arrest, handcuffed. That to me is a very aggravated case and warrants the death penalty.

Q. Are you investigating the possibility-- ?

WADE. A second assassination doesn't help a first one.

Q. Do you have a signed statement from Mr. Ruby?

WADE. I haven't seen it, but I think they have.

Q. Are you investigating the possibility that Ruby might have killed Oswald because he feared Oswald might implicate him in some plot?

WADE. I'm not investigating anything. I'll try whatever, I'll try the case.

Q. Concerning the Oswald evidence, Mr. Wade, is there any one single portion of that that you consider most important?

WADE. Well, the gun being his and the gun that killed him and his fingerprints on it and his fingerprints by the window make out a pretty good case. His flight also is important. It is like one of these things -- you can't just go and say this one thing will convict him. On any case based on circumstantial evidence it has to--all the circumstances have to point to the guilt and exclude every other reasonable hypotheses which we, I think, all of them will.

COMMISSION EXHIBIT No. 2168--Continued

Q. The combination of those fills the bill?

WADE. Yes, sir.

Q. Will he be before the J.P. tomorrow?

WADE. I think he's already been before the J.P., hasn't he? I think he was taken before the J.P. The J.P. was here today, I know. He called me. If they have an examining trial in which they may convict, that I don't know when that will be or whether it has been set yet.

Q. When will you be prepared to go before the grand jury?

WADE. Well, we're prepared to go now and--but it will probably be Wednesday before we can, I mean. We'd sort of set up to have the other one Tuesday afternoon or Wednesday and so we will run this one in its place.

Reporters. Thank you very much, Mr. Wade.

COMMISSION EXHIBIT No. 2168--Continued

KRLD-TV reel 23
NBC-TV reel 43
KLIF Audio reel 8
WRB Audio reel 14
WFAA-TV reel PRT 27

Saturday, November 23, 1963 -- 12:30 a.m.

PRESS CONFERENCE OF DISTRICT ATTORNEY WADE
IN ASSEMBLY ROOM, DALLAS POLICE AND COURTS
BUILDING

WADE. He's been formally charged in Precinct 2 of Dallas County Judge David Johnston. He's been taken before the judge and advised of his rights. He's been charged with both killing Officer Tippit and John F. Kennedy--

Q. Can you tell any of the evidence against him so far, sir?

WADE. No. We are still working on the evidence. This has been a joint effort by the Secret Service, the Federal Bureau of Investigation, the Dallas Police Department, the Dallas Sheriff's office, my office, and Capt. Will Fritz has been in charge of it.

Q. What does he tell you about the killing of the President? Does he volunteer anything or what has he got to-- ?

WADE. He denies it.

Q. -- was he charged with the President's killing?

COMMISSION EXHIBIT No. 2169