Did Lee Harvey Oswald have an alibi?

Gordon Pollard

& Gordon Pollard has completed another article on the Kennedy assassination in which he discusses Lee Harvey Oswald's alibi.

Associated Press photographer James Alghina was standing about 30 feet from the President when Spectator rouge was fired on the White House lawn and only seconds later took the now famous photograph of the motorcade which shows in the background the entrance to the Texas School Book Depository.

The controversy concerning this picture centers on the blurred image of a mysterious person standing in the Depository doorway. This figure bears a striking resemblance to Lee Harvey Oswald but officials have stated that the person in the picture is really Billy Lovelady, another employee of the Depository.

In a recent interview with James Alghina in Dallas, the veteran photographer told me that neither he nor any of his colleagues has been able to take a picture of Billy Lovelady: "It seems very strange," he observed, "I really can't think of any reason why Mr. Lovelady should refuse to allow even one photo of himself to be taken."

If I were in his position, I would certainly have some pictures taken to settle the matter for once and for all." Mr. Alghina noted that a newspaper photographer was sent from Fort Worth to take a picture of Lovelady but was arrested by the police and told to leave the area.

But perhaps the most startling aspect of the famous Alghina photo has received the least attention: the question of the clothing worn by the figure in the doorway.

The man at the entrance appears to be wearing a white undershirt and a dark shirt or jacket. At the time of the assassination Lovelady was clad in a shirt with black and white vertical stripes which was buttoned to the neck. But at the time of his arrest Oswald was wearing a dark blue shirt over a white T-shirt.

"Only moments after Mr. Alghina had taken this picture, motorcycle officer Marion Baker and Depository Departmental Boy Truly entered the Depository and ran up one flight of stairs to the second floor lunchroom where they saw Oswald standing calmly," the Commission said.

This contradiction was one of the most crucial questions in the entire Kennedy assassination controversy: could Oswald have run from the southeast corner window on the sixth floor to the lunchroom on the second floor in time for the meeting with Baker and Truly?

The Warren Commission conducted two tests. In the first Baker reached the second floor landing in one minute, 30 seconds and in the second he ran the course in one minute, 15 seconds. Secret Service Agent John Howard covered the distance from the sixth floor to the lunchroom in one minute, 18 seconds, the first time and in one minute, 16 seconds in the second test.

Therefore, taking the longest time of Howard - Oswald (one minute, 18 seconds) and the shortest time of Baker (one minute, 15 seconds), Oswald would have arrived three seconds after Baker.

In other words, the Warren Commission itself concluded that Oswald had an alibi according to the fundamental principle of American law that any uncertainty or ambiguity be interpreted in favor of the accused.

Even if we take the shortest time of Howard - Oswald (one minute, 14 seconds) and the longest time of Baker (one minute, 30 seconds), Oswald is only 16 seconds away from his alibi.

It is important to note also that the tests carried out by Agent Howard did not allow for the time required to get through the main door, or the time required for the elevator to go down one flight of stairs.

What is especially peculiar, however, is the mystery of the remaining bottle of Coke. The Warren Report states that Oswald had nothing in his hands when seen in the lunchroom and though both Baker and Truly stated at first that he was holding a bottle of Coke, both police and Secret Service agents said his alibi.

In the Medicine Hat News of May 3 1967, Gordon Pollard starts to ask quite a few questions about the alleged encounter.

Sylvia Meagher's book, Accessories After The Fact, is besides Whitewash an excellent source, not just for the second floor lunchroom encounter but also the TSBD employees who were inside and just in front of the building when The President got shot. Meagher's book also questions the timing of it all, and brings up the coke, which of course has repercussions for that very same timing perspective. There is a good interview with Sylvia Meagher where she talks about Oswald's alibi, and more importantly the 2FLRE. The coke and the reenactments and its timings are discussed.