Oswald: Assassin or Fall Guy?

Joachin Joesten

Documented with Line Drawings and Photographs
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Dear Mr. Joestens:

The Commission is advised that you have recently been engaged in writing a book in German, "Die Verschwörung von Dallas" which has been condensed in English under the title, IMPOSSIBLE ASSASSIN ("Why Lee H. Oswald Surely Was Innocent").

As you know, President Johnson on November 29, 1963 established this Commission to study and report upon all the facts and circumstances relating to the assassination of the late President John F. Kennedy, and the subsequent killing of the man charged with the assassination. Therefore, the Commission has asked me to obtain from you or your publisher a copy of the complete German typescript as well as the typescript of the English version.

You may rest assured that the material you furnish us will not be circulated beyond the files of the Commission.

Thank you for your cooperation in this matter.

Sincerely yours,

J. Lee Rankin
General Counsel
To Mark Lane

The brilliant and courageous New York attorney whose "Brief For Oswald," published in National Guardian newsweekly, December 19, 1963, was the opening shot in a campaign that will not end until the Myth of the Demented Assassin has been thoroughly destroyed, and the real killer of John F. Kennedy is brought to book. Like Emile Zola’s J’Accuse, Mark Lane’s "Brief For Oswald" will go down in history as one of the great libertarian documents, a monument to free men’s determination to seek and tell the truth against all odds. Neither the "police state tactics" of the FBI—to use his own words—nor the conspiracy of silence of the press magnates, could sway him from doggedly pursuing the truth. The Private Citizens Committee of Inquiry, which he founded and heads, may not have received one-millionth of the press attention that has gone to the Warren Commission, yet it is the only citizens’ organization which has independently developed a body of evidence and will continue to do so until the truth is fully established. I also wish to express in this context my sincere admiration and sympathy for Mrs. Marguerite Oswald, who has borne the ignominies heaped upon her by the news fabricators with composure, while fighting to clear her son’s name.
Acknowledgements

My heartfelt thanks go in the first place to Carl Marzani, a shrewd and hard-hitting editor and publisher in the finest American tradition, who put his whole heart and soul in this book, as the best of them do. I also wish to convey my sincere appreciation to Miss Charlotte Pomerantz, editor, and to the small staff of Marzani and Munsell, without whose devoted help this book would not have been published within five weeks of receiving the manuscript.
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In English

ONASSIS: A Biography (Abelard-Schuman, New York, 1964)
THEY CALL IT INTELLIGENCE (Abelard-Schuman, 1963)
GERMANY'S OTHER HALF (Pen Name: Franz von Nesselrode, Abelard-Schuman, 1963)
THE PRUDENT MAN (Pen Name: H. F. Millikin, Abelard-Schuman, 1963)
Forthcoming: THE NEW ALGERIA (Follett Publishing Co., Chicago and New York, May 1964)

In German

IM DIENSTE DES MISSTRAUENS (Rütten & Loening Verlag, Munich, 1964)
OLMÄCHTE IM WETTSTREIT (August Lutzeyer Verlag, Baden-Baden, 1963)
PRÄSIDENT KENNEDY (Deutsche Verlagsanstalt, Stuttgart, 1960)
OL REGIERT DIE WELT (Karl Rauch Verlag, Düsseldorf, 1958)

15 other titles published in five countries
"...Is the possibility of a treasonous political conspiracy to be ruled out?

"Not the least fantastic aspect of this whole fantastic nightmare is the ease with which respectable opinion in America has arrived at the conclusion that such a possibility is absurd; in most other countries, what is regarded as absurd is the idea that the assassination could have been anything but a political murder. The suspicions that are being openly voiced all over the world—and that are being whispered, only whispered, all over the United States—may never be settled, but as President Johnson implicitly acknowledged in making the decision to appoint the Warren Commission, it is absolutely necessary that they at least be confronted. And the way to confront them is not by a simple review of what the FBI has to say about the case; it is by an independent investigation of the most scrupulous and painstaking kind that culminates in a lengthy report in which every question involved in the assassination is examined with microscopic thoroughness and according to the highest standards of judicial impartiality. The Warren Commission ought to know that anything less would only reinforce the ugly suspicions circulating through the air, and would only compound the shame and disgust that all of us should be feeling—still."

From an editorial in *Commentary*, January 1964:
The letter, imprinted with the U.S. Foreign Service seal in blue and addressed to me in care of General Delivery in Hamburg, caught me by surprise. My contacts with officialdom have been happily limited. And this letter, which came from the Office of the Legal Attaché, United States Embassy, Bonn, looked and sounded very, very official. It was.

In carefully veiled terms, the legal counselor to the Embassy informed me that he was anxious to get in touch with me as soon as possible about “an important official matter.” Though he did not spell out that matter, I had a pretty good hunch right away: the Warren Commission wanted to talk to me. Or rather, they wanted to find out what I was up to.

So, like the loyal, dutiful, and law-abiding citizen I am, I immediately phoned the Embassy long distance to inquire what I could do for them. The voice at the other end of the wire seemed genuinely relieved that I had been located, but again gave no indication what it was all about. When I asked if the matter—whatever it might be—couldn’t be discussed over the telephone, the gasp of diplomatic horror was clearly audible. Oh no, that wouldn’t do at all. It just simply wouldn’t be safe. National security, I was given to understand, was at stake.

They asked me if I could come down to see them at the Embassy right away. I replied that I was terribly sorry but urgent professional matters kept me tied down in Hamburg for the time being. All right, then, was the reply, they would send a man up by airplane the following morning to interview me. Could I meet with him at the U.S. Consulate in Hamburg, say around noontime? I said that would be fine and hung up.

Peasoupy fog hung over Hamburg the next morning, a Saturday in mid-March, 1964. As I approached the stately Consulate building overlooking pleasant Alster Lake, I wondered if Mr. Morris, the assistant legal attaché who was coming to see me, would make it.

The lonely Marine guard on duty at the Consulate, which is closed for normal business on Saturdays, told me that Mr. Morris’
plane would be about two hours late because of adverse weather. So I took a walk around the lake, mulling over what my relations with the Warren Commission would be from here on.

By coincidence, the same mail which had brought the letter from the Embassy in Bonn also contained another feeler from the Warren Commission, this one far more direct and to the point, which had been addressed to my home in New York and forwarded from there.

The letter is reproduced as a frontispiece.

I replied on March 18 that inasmuch as all copies of my book manuscripts, both in German and in English, currently were out with publishers and literary agents in many countries, I was unable to comply with Mr. Rankin's request. However, I added, a condensed version of the English text was then in the process of being released as a serial by Opéra Mundi, a French newspaper syndicate with worldwide connections, and that I had asked the editor to forward a copy by airmail to the Commission. (A few days later, in Paris, I made sure that a copy of this series, entitled "Oswald, The Impossible Assassin," had indeed been dispatched to Mr. Rankin.)

If I dwell here at what may perhaps seem undue length on my contacts with the Warren Commission in this matter, the reason is that, when the present book is published, a lot of people are sure to ask, what I have already been asked in private a number of times: "Why didn't you tell the Warren Commission?"

To which I can only and truthfully reply: I did.

Well, the fog lifted at last and there was Mr. Morris, looking every inch the career diplomat as well as the trained lawyer. He was very affable and we got along fine, talking for about four hours in the soundproof secrecy of a totally deserted Consulate. I laid on the line everything I had, including most of the documentary material, original research, and analysis in this book.

Mr. Morris seemed to be genuinely impressed with my demonstration of Oswald's complete innocence and I presume that he forwarded a detailed report about it to the Warren Commission. He also asked me some rather pointed questions about who I thought were the real assassins of President Kennedy and why this horrible crime was committed. Again, I did not beat about the bush, naming names and putting facts on the line as I do here in Part II. I suppose he put all that in the record, too.

Our interview became rather animated, and from his questioning it was apparent (though Mr. Morris never said so outright) that he, or rather his agency, was particularly concerned with the fact that I believed Oswald had been connected with both the Central Intelligence Agency and with the Federal Bureau of Investigation. I had
a definite impression, from his questions, that he was trying to ascertain whether or not I had any inside information, or any documents, from within the CIA or the FBI. I put his mind at rest: all my information on these points had come from published sources but I couldn't help feeling from his concern that my speculations had cut close to the bone. That same concern of his leads inevitably to a fundamental question: If the CIA or the FBI had no relations with Oswald, why would they worry where I got my information from? If they have had no relations, if they have no documents in their files relating to Oswald before the assassination, if, to put it bluntly, they have nothing to hide, why are they worrying?

Upon my return to the United States, my wife informed me that two FBI agents had been over to my house to talk to me. The agents had said the Warren Commission had been trying to locate me all over Europe—Germany, France, Switzerland, etc. Since I had been located, I couldn't help wondering if the FBI had simply used that excuse to enter my home, talk to my wife and, to put it plainly, snoop around. Why should the FBI want to talk to me on the same subject as the Foreign Service counselor, and why should his report on our interview not suffice? Again, it seemed to me that this was a lot of trouble for the FBI to have taken if it had nothing in its files which should be protected.

I mentioned this strange behavior of government agencies to several friends, some of whom felt I was unduly suspicious, but as I was correcting the galleys of this introduction I ran across an item in the New York Times of April 29, 1964, which convinced me that the FBI is indeed extremely jittery about the Oswald case. Here is the item in its entirety:

"Former Assemblyman Mark Lane said yesterday that he had sent a complaint against agents of both the Federal Bureau of Investigation and the Secret Service to the Presidential commission investigating President Kennedy's assassination.

"Mr. Lane said that two FBI agents had accosted him on the street yesterday morning, demanding to know if he had documents from the agency's files on the alleged assassin, Lee Harvey Oswald. He said he replied that the incident 'smacked of police-state tactics' and suggested that the agency write to him.

"He said later that he did not have 'the faintest idea what they were talking about,' but noted he had a telephone conversation from San Francisco Tuesday with his office here about an FBI question. The FBI's New York office declined comment on Mr. Lane's statement.

"The New York lawyer is currently chairman of a private Citi-
zens Committee of Inquiry, with offices at 156 Fifth Avenue. He was formerly retained by Oswald's mother."

Mr. Lane has asserted that he has documentary proof of several key controversial points in the Oswald case, such as proof that the paraffin test on Oswald's cheek was negative (i.e., he couldn't have fired a rifle), and obviously the FBI is worried that he may indeed have such proof. If the FBI is innocent, *if such proof does not exist*, what is it worrying about? The fact, of course, is that it has a great deal to worry about: the accusation by the *Enquirer* (May 17, 1964) that Ruby and Oswald were linked together in CIA operations and that the FBI prevented their arrest by the Dallas police seven months before the assassination; the accusation by Dallas Police Lieutenant Revill that an FBI agent had told him that the FBI "knew he [Oswald] was capable of assassinating the President" (AP dispatch, April 25, 1964); the accusation by a Dallas police official that Oswald was not on an FBI "surveillance list" because he was one of the boys. I am positive that the FBI has a great deal to hide, and I am disturbed that the Warren Commission should rely on the FBI for its investigating job. This entire problem is fully ventilated in Part II.

The division of this book into two sections arises out of the nature of the Oswald case. I am personally convinced that (a) Oswald was completely innocent of the assassination, and (b) it was the work of a powerful conspiratorial group. I wish to make it absolutely clear that I believe *Oswald innocent only as charged*, but that he was involved with the conspirators in some way. This is what "fall guy" implies. The first part of this statement refers to his legal innocence; the nature of his involvement is part of the second half of my statement. The first part is, I believe, susceptible of proof; the second part is perforce more speculative.

I have therefore divided the book into Parts I and II, each with its own criteria. It is obvious that the second section does not require of me the degree of proof that the first section does; furthermore, in the broader sense, its plausibility follows from the first. For the FBI is on record, through careful leaks, that in its report to the Warren Commission it asserts that Oswald and Oswald alone was the assassin. If either of these two contentions can be disproven, then someone in the FBI is covering up the truth with all the implications which follow and which I have explored in Part II.

Oswald was a "fall guy," to use the parlance of the kind of men who must have planned the details of the assassination. I believe that he was picked as a fall guy precisely because, as a petty, and perhaps discarded, agent of the CIA, and later of the FBI, he was an ideal scapegoat; his provocative actions and movements were subject to
specific knowledge by the conspirators; in particular his obtrusive display of "Marxist" feelings stamped him as the kind of man who could be made to appear an irrational assassin and around whom a web of circumstantial evidence could be woven; a web sufficiently plausible on the face of it to convince the American people provided he did not live to have a trial, as indeed he didn’t. This conclusion of mine has been reached independently by an eminent French correspondent, M. Leo Sauvage of Le Figaro, who has represented his paper in the United States for the last fifteen years. In a penetrating article in the March, 1964, issue of Commentary he flatly asserts Oswald’s innocence: “If we believe that a man must be considered innocent until he is proved guilty beyond a reasonable doubt, we can already assert that Lee Harvey Oswald was innocent. For to the unbiased, critical mind, the case against him is a tissue of improbabilities, contradictions and outright falsifications.”

Mr. Sauvage concludes his article with the same opinion that I hold: “I believe that the most important consequence of Oswald’s death was not to close his mouth but to close his trial. For if Lee Harvey Oswald had ever had his day in court with a good defense lawyer answering District Attorney Wade, cross-examining the Dallas police officers, and raking their witnesses over the coals, what might not have emerged?”

What indeed? I sketch some possible implications in the second half of this book, but it must be emphasized again that it is not incumbent upon me, or any other analyst at this juncture, to give a model of the conspiracy, to fit in every fact that is known and to resolve every contradiction. It suffices to prove that Oswald could not possibly have committed the crime to immediately, *ipso facto*, expose the Dallas police and the FBI as, at the very least, accessories after the crime in suppressing and distorting evidence in a context which will damn them forever.

The American public, as a whole, has been convinced by the press that Lee Oswald was guilty. In part the press has been victim of the public relations techniques of the Dallas police and district attorney and the FBI; in part, as in the case of Time and Life magazines, it has deliberately contributed to the creation of the myth. That this myth will be smashed is due in large part to a few independent newspapermen, lawyers, and other investigative “amateurs” who have sought the truth without fear or favor in the face of official hostility and obloquy. I refer to Mr. Richard Dudman of the St. Louis Post-Dispatch, Mr. Gene Roberts of the Detroit Free Press, Mr. Leo Sauvage of Le Figaro, Mr. Tom Buchanan in L’Express, Messrs. Jack Minnis and Staughton Lynd writing in the New Republic, Mr. Harold
Feldman in the *Nation*, the editors of the *Reporter, Commentary, New Republic*, the *Nation*, and the *National Guardian*, all of whom have had excellent pieces ventilating the assassination. Mr. Richard Starnes of the New York *World-Telegram and Sun*, Mr. Bob Considine and Miss Dorothy Kilgallen of the New York *Journal American* have also contributed their skepticism of many aspects of the official version. Praise is also due to the newspaper editors who have given the above reporters a comparatively free hand. Last, but not least, credit is due to Mr. Mark Lane who, as attorney for Oswald's mother, initiated the discussion in the *National Guardian* and by his tenacity and courage from the very beginning played a large part in achieving the appointment by the Warren Commission of an attorney to represent the interests of Oswald's memory. In their independent investigations many of these individuals have turned up significant and crucial bits of evidence which the Dallas police and the FBI sought to suppress. My own contributions are to be found in this book.

I tend to the belief of a conspiracy of powerful men with a narrow circle of complicity in the middle echelons of the FBI and the Dallas police. However, all the writers mentioned agree that the official theory that Oswald did it alone will not square with published evidence. Most of us agree that there were shots from the underpass as well as the Book Depository, a conclusion which is the more telling as it was arrived at independently by sober and trained reporters who have checked the official version on the spot. Yet we have already been attacked as crackpots and worse, and these attacks will continue as the Establishment finds itself increasingly on the defensive.

The FBI, the Dallas police, and the Dallas District Attorney are caught in an impossible dilemma: their version is officially in the record, yet this version can be disproven from their own documents and evidence. For example, there is documentary proof in the police files that the paraffin test which was performed on Oswald's cheek showed negative, i.e., he had not fired a rifle. Much of this evidence is being kept secret, including the windshield of the President's automobile, but it has to be released, since, with Oswald dead, it is not to be used in a trial and there is no reason whatever to withhold it.

Furthermore, there are many individuals in Dallas with bits of vital information who have been reluctant to come forward for many reasons including the fact that their knowledge does not square with the official FBI version leaked to the press. For example, not a single person in the theatre where Oswald was arrested and who was an eye-witness to his arrest has been identified or has come forward. As the
pressure of fear lifts with the increasing publication of articles and books, the dike of suppression will burst and the American people will have a chance at the truth. I hope this book will forcefully widen the cracks in the dike, force the FBI to retreat and force it, in fear of being superseded, to use its enormous facilities to make a real investigation.

One final remark on why newspapermen and writers should be taking on the job that the FBI is supposed to be doing. M. Sauvage has given an answer so well phrased that I can do no better than quote it as representing my feelings as well. Says he: "I am a reporter, not a detective. Thus far, however, it is only the reporters, those 'amateur investigators into the Kennedy assassination' whom Max Lerner in a recent column sarcastically advised to take 'a much needed rest,' who have shown up what Mr. Lerner himself describes as 'the tissue of guesswork, ignorance and contradictions in which the law enforcement officials were caught.' In the face of so systematically prejudiced an investigation as has so far been made into the President's assassination, how else will the truth ever be arrived at if 'amateurs' fail to ask the questions that the professionals have obfuscated or left unanswered?"

I say amen and point out one simple fact. We sceptics can be shut up very easily, either by the FBI answering our questions and resolving our doubts, or by a libel suit by any offended party.

And let the chips fall where they may.

Of books and politics—a publisher's footnote

When the manuscript of this book came to us, it had been rejected by several publishers. They found the book enthralling but balked at its implications: if even half its facts were true, then, inescapably, the Federal Bureau of Investigation was guilty of malfeasance of office. The various publishers found this hard to accept.

We found it easy. While we had no direct knowledge of Oswald's acts, we did have first-hand knowledge of illicit FBI activities. Some years previously, the FBI had tried legal and extra-legal means to suppress our book, False Witness by Harvey Matusow.

Matusow had been an informer for the FBI, McCarthy, the House Un-American Activities Committee and similar bodies. Sick of
his shoddy job he quit, and sought to make amends to his victims by exposing his paymasters; he wrote a book.

Forthwith subpoenas were issued for all notes, documents, research, recordings, manuscripts and page proofs of the book which would effectively prevent publication. One of the prosecutors was a certain Mr. Bolan, now law partner of Mr. Roy Cohn, former counsel of the so-called McCarthy Committee. A court order for the material followed, with the threat of jail for contempt of court.

At a crowded TV and press conference the publishers defied the court order. Material would be turned over after publication; until then they refused to be accessories to violating freedom of speech and press. In the glare of publicity, the government effected a compromise, and the brazen attempt at legal suppression failed.

Promptly, the FBI moved to extra-legal steps. They visited New York book printers and binders, giving the impression the book would result in adverse legal consequences for them.

We couldn't get the job done; in one case, the book was on the press and taken off. Finally a conservative Republican printer, having forced an admission from the FBI agents that nothing in the book was illegal, turned them out of his office saying, with unwitting irony, that their governmental interference with private business was socialist and un-American.

_False Witness_ was published, despite the FBI. It was widely acclaimed by reviewers, led by columnist Joseph Alsop. Its importance was stressed in a hard-hitting review by John Steinbeck, entitled _Death of a Racket_. The book left a beneficent mark on American liberties; two U.S. Supreme Court decisions stemmed from its revelations, providing a serious setback to the informer racket and its use by the FBI.

We hope this book, _Oswald: Assassin or Fall Guy?_ will have the same healthy impact on America and the same adverse effect on the FBI. The public needs only to take a good hard look at Mr. Hoover to see that "the king is naked," that his patriotic vestments are spun out of thin air and are, indeed, in Samuel Johnson's famous definition, "The last refuge of a scoundrel."
Part One

Impossible assassin
The day President John F. Kennedy was due to arrive in Dallas, Texas, for his first and last official visit there, the Dallas *Morning News* treated its readers to three remarkable and exclusive features.

One was the famous, or rather infamous, full-page advertisement “Welcome, Mr. Kennedy” which managed to heap more insults on the doomed President than had been hurled at him by the extreme right in his three years of office. Prophetically, and therefore quite properly, this $1,464 advertisement, paid for in cash by a jobless and penniless “salesman,” was presented like an obituary, with a funereal border in heavy black.

No less arresting was the lead article with the banner headline “Storm of Political Controversy Swirls Around Kennedy on Visit.” The paper’s most important contribution to the day’s news was a front-page sketch of the “Presidential Motorcade Route” through Dallas. This was the first time a precise itinerary of the fatal parade route President Kennedy was to follow appeared in print.

There had been newspaper reports of the probable route since November 19 and it was well known that the motorcade would go through the underpass, but a glance at the map, reproduced in the documentary section of this book, shows that there are several downtown arteries besides Main Street, such as Elm and Jackson (Commerce Street is one way east bound), which debouch on Houston Street. The map, which appeared only in the Dallas *Morning News*, is precise and definitive.

At the time the paper’s first edition hit the streets, Lee Harvey Oswald was sound asleep at the home of Mrs. Ruth Paine in the suburb of Irving (about 12 miles northwest of the city), where his family had been staying for the past two months.

Oswald had gone to bed about 9 o’clock and he arose the next, fateful morning at about 6:30. Some 45 minutes later he and a 19-year-old neighbor and fellow employee, Wesley Frazier, left together in the latter’s car for their common place of work, the Texas School Book Depository, where they were due to start at 8 o’clock.

Consequently, Oswald could not even have had the opportunity
to see the printed motorcade route until after he arrived at the Depository, for if he or Frazier had gotten the paper en route, Frazier would have said so. Furthermore, and extremely important, the route as shown takes the motorcade through Main Street, which passes a block away from the Book Depository. (Life later said “directly in front,” which is technically correct because there are no buildings between Main Street and the Depository, just an intervening block.) Oswald would have had to plan to shoot a distance of a block at a target moving at 30—50 miles an hour across his line of sight, not toward him. Yet we are asked to believe, we are told by the Dallas police, that he arose that morning firmly resolved to kill President Kennedy and that he took along his rifle for that purpose—on the bare chance that the motorcade might happen to pass nearby.

I shall not here go into the question of any conceivable motive Oswald might have had for wanting to murder Kennedy (none even remotely plausible has ever been put forward by his accusers). Nor shall I dwell on the question of why a young family man, who had just become a father for the second time and who doted on his 5-week-old baby daughter, her 21-month-old sister and his pretty wife, should want to commit the supreme crime that would inexorably send him to the electric chair.

I do not propose to go into these matters, despite their obvious and compelling human interest, because the verifiable facts of the Oswald case prove that he could not have killed President Kennedy (or Patrolman Tippit) even if he had desperately wanted to.

Oswald, for lack of any specific advance information on the subject, could not have known for certain that the presidential motorcade would pass by the Book Depository. In a feeble attempt to make the world believe that he could have guessed anyway, the Dallas police and supporting authorities have claimed that this was a “logical” parade route which normally would be followed by a visiting dignitary, and that any “knowledgeable Dallasite” would have known.

In the first place, Oswald was not a knowledgeable Dallasite. He was a stranger in town, who knew his way about so little that when he took the job at the Book Depository he had to borrow a map of the city and pencil on it directions on how to get to this place. (We’ll return to this interesting map in another context.)

In the second place, the story was not true, since the motorcade arrangements were changed after the map had been printed and differed from the printed route. Instead of proceeding from Main Street to the underpass in a straight line, which would have been the normal and “logical” thing to do, the motorcade at the intersection of Main
and Houston Streets embarked on a wholly uncalled-for double de-
tour. It swung first to the right into Houston Street and then, after a 
one-block stretch, turned left into Elm Street, which like Main Street 
feeds into the triple underpass. The reader is invited to look carefully 
at the map, reproduced in the documentary section of this book, for 
it was this double detour which assured the success of the shooting. 
As we shall see shortly, this detour is a key element in raising sus-
picions of a conspiracy. At the moment it should be noted that 
Governor Connally himself did not know the route. The New York 
Herald Tribune reported on Nov. 29, 1963: “The motorcade arrange-
ments came so late in the planning that Texas Governor John B. 
Connally Jr., who accompanied the President on the short plane trip 
from Fort Worth to Dallas, was not aware of it.”

If Connally, who rode in President Kennedy’s car, and who 
himself was wounded in the shooting, was unaware of the motorcade 
arrangements it is probable that the President himself did not know 
the exact itinerary his car was to follow.

Yet Oswald, we are told, knew all. His advance knowledge was 
so precise that he decided the day before—Thursday, November 21—
to go to the Paine home at Irving (a place he normally visited on 
weekends only) to get his rifle and kill Kennedy.

The motorcade arrangements are so important, and the identity 
of the individuals who made them (and changed them?) so crucial 
to the truth of the assassination that it is to be hoped the President-
tial Commission investigating the crime (the Warren Commission) 
will examine closely in the tiniest detail the shifting arrangements 
which eventually led the cortège, quite unnecessarily and “illogically,” 
into the fatal shadow of the Book Depository. What has been pub-
lished so far is enough to show that Oswald could not have known any 
of the details necessary for him to have plotted the assassination. 
Here is what is known:

The first announcement of Kennedy’s decision to visit Dallas 
was made on Sept. 26, 1963. That day, incidentally, Oswald was on 
his way to Mexico City.

After the “spitting incident” of Oct. 24, in which Adlai Stevenson 
was mauled and spat upon by a right-wing mob unleashed against 
him by the local John Birch Society leader, former General Edwin A. 
Walker, the question whether Dallas would be a suitable place for the 
President to visit was reconsidered. Once the final go-ahead had been 
given, nevertheless, an advance party of Secret Service men was dis-
patched from Washington to Dallas to review the proposed security 
arrangements.
Two possible luncheon sites were discussed in a series of talks between local Democratic leaders, in particular the heads of the "Dallas Citizens Council," which represents the real power structure in that city and which sponsored the Kennedy visit, on one hand, and the Secret Service agents on the other.

One was the Trade Mart, on Stemmons Freeway in the northwestern part of the city, the site that was finally chosen; the other was the Women's Building at Fair Park, in the southeastern part of town.

Until the die was cast in favor of the Trade Mart, there was no "logical route" at all. For Fair Park can easily be reached from Love Field Airport without getting anywhere near the Book Depository. In the contingency of the Women's Building having been chosen—a detour through downtown Dallas had been deliberately included, as in the actual case of the Trade Mart, in order to give the President "maximum exposure" to well-wishers—the itinerary would have been different. For then the motorcade would have entered Main Street from the opposite end. That means it would have passed through the triple underpass at the far side from the Book Depository. Thus it would have been practically out of reach—certainly out of the range of accurate marksmanship—for a sniper who was installed at the window from which the fatal shots are supposed to have been fired.

The final decision giving preference to the Trade Mart as the more suitable luncheon site was not made until Nov. 12. This fact alone demonstrates the complete absurdity of the official contention that Oswald was already plotting to assassinate Kennedy when he took a job at the Book Depository on Oct. 14.

What is more, after the selection of the Trade Mart had been made and approved by the Secret Service, there still were no immediate plans for a motorcade through downtown Dallas—not at the White House, anyway. Nor could such a ride be described as a "natural" by any stretch of imagination, for the Trade Mart lies between the airport and the city proper and could therefore have been reached by the presidential party quickly and safely without "invading conservative Dallas" (as one local paper put it).

"The original plans for President Kennedy's visit called for a fast ride from Dallas Love Field to a Trade Mart luncheon," the Morning News wrote on Nov. 23. "Then Democratic leaders urged the President to ride in motorcades through Fort Worth and Dallas to give more voters a chance to see him . . . There were some misgivings . . . The President made the final decision. Confident that
Secret Service agents and other officers could protect him he approved slow-moving motorcades through both cities.”

Presidential approval came on Nov. 15. There were then many possible routes and there was at least one instance where a specific request for routing was made to the city fathers and turned down. The request came from Negro leaders, as revealed by Tony Davis, editor of the Dallas Sepia News. Says the Philadelphia Tribune: “According to Davis, a group of Negro leaders had approached Dallas Mayor Earl Cabell and other officials and attempted to persuade them to route the President’s motorcade through the Negro area of the city. . . . The request was flatly rejected . . . probably a deciding factor in his death for . . . if the presidential motorcade had visited the Negro area it would have detoured away from the ill-fated triple underpass. . . .”

There must have been a good deal of discussion on the details of the route and that discussion needs to be reconstructed and made public. As the Dallas Morning News put it, “the slow-moving motorcade . . . gave a sniper his chance.” It did, indeed—but not to Oswald. How could this lowly stock-room clerk at the Book Depository know that Kennedy, on Nov. 15, had given his approval in principle to a motorcade through downtown Dallas? How could he know, or even guess, the preposterous itinerary eventually chosen, if even Governor Connally was unaware of it? Above all, what power did Oswald have to effect a last-minute change in the pre-arranged itinerary, thanks to which alone the complete success of the ambush could be assured?

This is, indeed, the crux of the matter, the key to the mystery, the one detail that gives the whole show away: The actual route followed by the motorcade at high noon on that fateful November 22 differed in one important respect from the sketch that had appeared exclusively in the Dallas Morning News, namely the double detour.

What is the sinister meaning of this detour? It is twofold. It slowed down the President’s car, which made for far easier sniping, and (in all probability) it exposed the President to a position where he would be vulnerable to a crossfire of shots coming from both the underpass and the Book Depository. The evidence for this conjecture will be presented in the documentary section of this book.

The speed of the car is estimated at between 10 and 15 miles an hour. Life puts it at 15 miles per hour, Newsweek (Dec. 9) at “no more than half the 25 miles an hour first estimated by authorities,” and U.S. News and World Report (Dec. 9) at 12 miles an hour, adding: “If President Kennedy’s car had been moving even at 20 miles
an hour, the experts say, it might have made the lead time too difficult a problem for the sniper.”

The experts are quite correct. Without that detour the President’s car would probably have been moving at a much higher speed than even 20 miles an hour. For at the intersection of Houston Street, Main Street, which up to this point is a crowded city artery bordered by high buildings, leads onto Dealey Plaza, a wide open space studded with lawns, grassy slopes, and scattered trees, surrounded by colonnades. With the underpass just ahead the car would have normally picked up speed, going through the underpass and onto the freeway at a smart clip, perhaps forty or fifty miles an hour, rendering any accurate sniping well-nigh impossible. By making the right turn into Houston Street and then a short block later the extremely sharp left turn into Elm Street, the speed was reduced to a crawl. This double detour flew in the face of the most elementary security rules. One does not have to be a member of the Secret Service or a military expert or an old hand at police work to realize its dangers. The double detour cries out for investigation and explanation.

To people not familiar with the actual layout, it has been suggested by official sources that this detour was indicated because the cortège, after going through the underpass, was due to turn to the right into Stemmons Freeway, which leads to the Trade Mart.

A Fort Worth reporter who was told of the discrepancy between the Morning News map of the itinerary, published the morning of the assassination, and the actual detour taken by the presidential motorcade, telephoned Chief of Police Curry for an explanation. Curry told him that one could not turn into Stemmons Freeway because of a concrete curb which completely separates Main from Elm. This is not quite true. It so happens that there is an opening in the curb, and Mark Lane, who has done a great deal of on-the-spot checking, actually drove a car through it from Main, across Elm, to the Freeway. This is not an easy turn for a motorcade, and Chief Curry might be permitted the inaccuracy about his street—if this were all. But Curry was not telling the truth when he said specifically that the only way a car could enter the Freeway from Main was via the detour.

The fact is that a mere three blocks beyond the underpass is the broad Industrial Boulevard that leads directly to the Freeway. The logical route, the most convenient, and, emphatically, the safest route for the President, was not to take any car-slowing detour, but to stay on Main Street through the underpass and then to use Industrial Boulevard onto the Freeway.
Further, as I took the trouble to check, there are no signs on Main before the underpass, to direct traffic via Houston and Elm onto the Freeway.

To make quite sure that I could not be mistaken about this point, I made the trip twice by taxi. First I went down Main Street, as the motorcade had done, then straight ahead through the underpass. It was not until just before (in one case) and immediately past (the other time) the trestle that I directed the cab drivers to turn right into Stemmons Freeway. Both did so, unhampered by any lane markings or roadblocks. If I could travel that way, surely the President could.

Nor is the contention valid that this detour into the immediate vicinity of the Book Depository was prompted by a desire to give President Kennedy “maximum exposure” to admiring spectators. For precisely at this point the crowds, which had been dense all along Main Street, were thinning out, as all the news pictures of the assassination scene show.

There was no plausible excuse, then, for detouring the motorcade from the comparative safety of the straight center lane into the deadly shadow of the Book Depository. Surely Oswald could neither have foreseen nor had a hand in arranging this detour.

Unless and until someone in authority puts forward a credible explanation for this anomaly, the suspicion is warranted that this was the key element in a plot to assassinate the President: an arrangement deliberately designed to slow down the motorcade to a point where the President's car would become a perfect target for a sniper.

After the event Police Chief Jesse Curry, in a report to City Manager Elgin Crull, lamented: "They had to bring him through town—a Secret Service man told me they didn’t want that either" (Dallas Morning News, Nov. 23, 1963).

The police chief may be referring merely to the local Democratic leaders who pressured the President into “invading” downtown Dallas against the advice of the Secret Service. But there is a more sinister interpretation: they being the conspirators who wanted the car slowed down. Who urged, planned, or effected the double detour? Did the Secret Service know of this change? Who was in charge of the motorcade? According to all reports, Chief of Police Curry was in the lead in a police car. Who ordered him to make the double detour? Or, most startling possibility of all, did Police Chief Curry make the detour on his own authority? If so, why?

I trust the Warren Commission will probe hard on this issue.
It is a well known law of nature that thunder always follows lightning, but the Dallas police managed to reverse natural laws: Chief of Police Curry, in a car 40 feet ahead of the President's car and the length of a football field away from the Texas Book Depository, knew instantly the shots came from that building although a Secret Service expert close to the building had no idea where the shots came from. Sheriff Decker went Curry one better. He issued an alert five minutes before the shots were fired. I intend to prove both of these facts which are totally damning: at best they prove some degree of foreknowledge by the police; at worst they prove complicity in the crime.

When the Warren Commission is through asking Chief of Police Curry what he knows about the double detour, they might continue interrogating him on his remarkable directional sense of hearing. At his Nov. 23 press conference Police Chief Curry "reconstructed the swift steps that led to the apprehension of Lee H. Oswald."

"Moments after the fatal shot was fired at President Kennedy at 12:30 PM yesterday, Chief Curry said, he radioed instructions that the Texas School Book Depository Building be surrounded and searched . . . "The chief was riding in a car 40 feet ahead of the limousine carrying Mr. and Mrs. Kennedy . . . Chief Curry said he could tell from the sound of the three shots that they had come from the book company's building . . ." (New York Times, Nov. 24, italics added)

Now, Curry was riding 40 feet ahead of the car that was being fired at. That means that his automobile must have been quite close to the triple underpass, where all the traffic from both sides converges while (normally) trains rumble overhead. A place, then, where there is plenty of noise any day of the year.

Moreover, this was an exceptional day. On both sides of the presidential route, there were groups of people cheering, calling and clapping their hands. The cortège itself, with cars and busses full of newsmen following in the wake of the limousines of the President and the Vice-President, was producing plenty of noise of its own.
Amidst all this din, Police Chief Curry, who at that moment was about 90 yards past the Book Depository, "could tell from the sound" that the three shots had been fired from that building!

Rufus W. Youngblood, the Secret Service agent assigned to Vice-President Johnson's car, which was behind that of the President and therefore closest to the Book Depository when the shooting occurred, has stated in an interview with UPI, datelined Washington, Nov. 27:

"I did not recognize the first shot as a shot. It could have been a firecracker, a bomb or a shot. I only recognized it as an abnormal sound...

"I had no idea where the shots had come from. I didn't even know what they were at the time..." (italics added)

Again, let this sink in slowly. Here is an expert, a Secret Service man, trained to hear the grass grow where the President's security is at stake. He is in the car closest to the Book Depository, almost at the foot of it. And he has "no idea where the shots came from." But Chief Curry, far ahead of him and much farther away from the Depository, could tell right away "from the sound" that the shots had come from that building.

There were a few others on the scene who could tell the same thing "from the sound." All of them were high police officials. I quote now from the Dallas *Times Herald* of Nov. 22:

"Although most of the law officers present felt the bullets came from the Texas School Book Depository Building . . . a large number of the crowd could not say for sure where the shots came from or how many shots were fired." (italics added)

What is particularly curious about Chief Curry's sensitive hearing is that not a single person in the area where he was, near the underpass, has testified to believing the shots came from the building, while several witnesses including reporters have testified that the shots came from the direction of the underpass. We shall examine this testimony when we discuss the crossfire that took place that day, the trajectory of the bullets and the strong evidence which suggests that at least two killers were involved, just as we shall show that there were at least two rifles. For the moment let us note that Chief Curry was so sure that he instantly radioed all the police in the area, over 500 men, to surround the Depository Building. An expert in the business, former head of the Secret Service U. E. Baughman, was amazed that the building was surrounded when the shots had hardly been fired. Curry's location of the shooting and reaction must have been miraculously instinctive to be so rapid.
Curiously enough, another lawman, Sheriff Decker, sent all his forces to the railroad yards by the underpass, only he did it before the shots were fired. If Curry had presence of mind, Decker had prescience. His divination is so incredible that the mind unconsciously rejects it, as mine did. Here's the story that gave me the lead:

"Sheriff Decker came on the air around 12:25 p.m.

"I don't know what's happened. Take every available man from the jail and the office and go to the railroad yards off Elm near the triple underpass . . ."

The first time I read this paragraph in the Dallas Times Herald of Nov. 22, 1963, I paid no particular attention to it.

It is hard to concentrate on details when you are looking at a front-page story set in bold black type and with the huge bannerline: PRESIDENT DEAD

Later, however, as I reread this story more carefully it struck me like a hammer blow:

... on the air around 12:25 p.m.

The assassination took place between 12:30 and 12:31. This time has been exactly established by the authorities, and 12:30 is on the official record, witness the "Homicide Report" which is reproduced in the documentary section of this book.

As often happens in the midst of great tragedy, the assassination of President John F. Kennedy produced a number of comic sidelights. This "Homicide Report" is a case in point.

When it reflects a historical event of first-rate magnitude, such as the cold-blooded murder of the President of the United States, the dry formalism of such a document has a kind of gallows humor. Had the name of the victim been John Doe, instead of John F. Kennedy, his "Homicide Report" would have looked no different except for the typewritten details.

They did a really painstaking job, those Dallas cops investigating the assassination of the President. They noted with meticulous care that the world leader who had been shot down in their precinct was a person belonging to the white race and the male sex. Those sticklers for routine didn't even forget to put down Kennedy's phone number on their report. Amidst the obvious details, the time of the murder is clear: 12:30 P.M.

Then how come Sheriff Bill Decker could go on the air "around 12:25" and order all of his available men to go to the railroad yards off Elm Street near the triple underpass because something had happened there—five minutes before anything did happen?

I could hardly believe my eyes, so I started checking. My first
thought, naturally, was that 12:25 P.M. must have been a typographical error and that the editors would soon have caught up with it, eliminating it from later editions of the paper.

So I reached for the second of the three “final” editions which the Dallas Times Herald that afternoon brought out in quick succession. Because the timetable of these successive editions has a certain bearing on the Oswald case, we’ll set it down here precisely. An early edition of this afternoon paper had been published at 10:30 A.M., i.e., two hours before the assassination. The first Final, after the event, was on the streets by 2:30 with the above-cited headline PRESIDENT DEAD. The second, with the double bannerline PRESIDENT DEAD—CONNALLY SHOT, came out an hour later. And in the final of Finals for the day, published at 4:15, the same bannerline was capped by another one, superimposed in smaller type: SUSPECT ARRESTED. The first column of the front-page story referred to Oswald and this is the first mention of the alleged assassin’s name in the papers.

These editions are significant because they all mention the alert, and they all set the time at 12:25 P.M., so that there is little possibility that it was a typographical error in the first instance. In the final edition the paragraph on the alert was moved from the front page to page 19.

As I pondered these antics Father Time had been performing in Dallas, I came across a story in Time entitled NEWSPAPERS COMPREHENSIVE COVERAGE. That article was just brimming with glowing tribute to the Morning News and the Times Herald. It was “with professional skill,” one reads, that they met “the greatest challenge ever to confront the city’s newspapers,” viz., the reporting of the assassination of President Kennedy.

“At Dallas’ police station, alert for any unexpected excitement, Times Herald Reporter George Carter sat by the police radio,” Time relates. “When the tragic news broke, the Times Herald was as ready as a newspaper can be. Seconds after the bullets struck Carter caught an ominous message on the police receiver and called his paper at once. Some ‘trouble’ had occurred on the presidential motorcade, he said, and he asked the paper to stand by. Minutes later, Carter called again: the President had been shot. Within 20 minutes the Times Herald knew Kennedy was at Parkland Hospital, and within 30 minutes it knew that he was dead . . .” (italics added).

With Time waxing lyrical in succeeding paragraphs about such “prodigies of professional journalism,” I decided to do a bit of prodigy-checking myself. It could be done only at the Times Herald office, of course, but I thought that inquiries leading away from
Oswald might not be exactly welcome at the *Times Herald*. So I used a ruse that had stood me in good stead before. Instead of introducing myself as an American free-lance writer I posed as a German newspaperman.

It wasn’t much of a pose, anyway, for I was born in Germany and I still write and read articles in German as well as in English. My heavy German accent which I never have been able to get rid of proved very helpful.

I also realized, of course, that I couldn’t ask any *Times Herald* executive point-blank: “How come the Sheriff alerted his troops at 12:25, five minutes before the shots were fired?” So I tried a different tack.

To the first person I was able to collar at the *Times Herald* office I explained in my thickest Teutonic gutturals that I had been assigned by a German newspaper to do a story about the amazing speed and accuracy with which the Dallas press, and in particular the *Times Herald*, had covered the biggest story of the year.

“We in Europe feel to our regret,” I proclaimed, “that we are far behind the prodigious techniques of American journalism.”

It went over smoothly. My contact man steered me to the News Desk where I met the Assistant News Editor and one of his reporters who happened to be standing by for assignment.

After a bit of small talk and the usual amenities, I came to the point:

“As you will understand, gentlemen, my story will have far greater impact if I can be quite specific about the speed with which you covered this momentous event. As a starting point, of course, I should like to know what time it was, precisely, when the report of the shooting was received here at the news desk.”

Quick as a flash, and in one voice, both men replied:

“12:29.”

I registered no surprise and we went on talking. They explained to me (I already had read it in *Time*) that their ace reporter George Carter had been at police headquarters listening in to the police radio from a room next to the broadcasting room. Alerted by that “ominous message on the police receiver” he was monitoring, he first called his office that some “trouble” was developing, asked the news editor to stand by, and hung up. He called again with the big news that the President had been shot.

Since I had read the *Time* story and was aware of the two phone calls, I had been careful, in my question, to stress the word “shooting” which of course was the message in the second phone call. I assume,
therefore, that their answer of 12:29 referred to the second phone call. Actually, of course, the President was shot between 12:30 and 12:31, but a discrepancy of a minute or so in the watches of the three men involved is not unreasonable. But a discrepancy of seven or eight minutes (the time to make the two phone calls) in the watches of three reporters would be decidedly unusual in a newspaper office.

If, perchance, the two men were thinking of the first phone call, the discrepancy is still unusual. For Carter would have had to hear the message, reach for a phone, dial his office and tell them to stand by. This would be a minute or so which would put the alert at, say, 12:27. In either case, it is clear that the hour of 12:25 which was given by the *Times Herald* is substantially accurate, give or take a minute or so. Sheriff Decker had indeed divined "trouble" before it happened.

From the office of the *Times Herald* I went to that of the *Morning News* to do some more checking on this incredible aspect of the Kennedy assassination.

I tried to obtain all the issues immediately preceding and following the assassination, but got hold of only a few, the others (including the issue of Nov. 22 containing the hate message "Welcome, Mr. Kennedy") allegedly being sold out. However, a copy of Nov. 23 was still available.

In the second paragraph of the front-page story under the huge bannerline KENNEDY SLAIN ON DALLAS STREET, the paper reported:

"Kennedy was shot about 12:20 P.M. Friday at the foot of Elm Street as the Presidential car entered the approach to the Triple Underpass . . ." (italics added).

Take note of this carefully, and compare. This is not the afternoon paper rushing out a final of finals. This is the *Morning News*, published the following day, with plenty of time for accurate reporting and careful checking.

Why did the *Morning News* allege that President Kennedy had been shot at 12:20 P.M. when the big clock atop the Book Depository, plainly visible to hundreds of people, said 12:30 P.M.? One can only conjecture: conceivably some reporter was struck by the fact that the time of the alert was five minutes before the time of the assassination, and half-consciously tried to reconcile the discrepancy. It is also possible that the time of the President's assassination was put back ten minutes by a conscious decision of an editor, or editors. Whatever the explanation, this is the kind of contradictory data that
"Ambush building chosen with care"

The above headline from the *New York Times* of Nov. 23, 1963, is borne out by the opening paragraphs of this dispatch from Dallas, dated Nov. 22:

"The building in which President Kennedy's assassin hid today could hardly have been more suited to the use made of it.

"The Texas School Book Depository is a seven-story brick building that looms above the route Mr. Kennedy's motorcade took through Dallas. It is at the corner of Houston and Elm Streets, but set back and above the street on which Mr. Kennedy's car was traveling.

"The killer fired a high-powered rifle from the southeast corner window of the sixth floor. Jack C. Cason, president of the Depository, said someone could have hidden on that floor for several days without being discovered. The floor is used solely for storage."

The *Dallas Morning News* of Nov. 23, 1963, is even more explicit on this subject: "President Kennedy's killer could have been holed up in that six-story hideaway for as long as *four days* (italics added) without anyone bothering him, the president of the Texas School Book Depository said Friday night . . .

"Jack C. Cason, president of the depository, said the sixth floor was used solely as a 'dead storage' area. It was stacked about eight feet high with books.

"Cason, who left the scene about 30 minutes before the President's caravan rode down Main Street, a block away, said the firm often had had difficulty finding employees who had fallen asleep amidst the stacks of books.

"Sometimes it will be three or four days without anybody going up to the sixth floor to get anything,' Cason said.

"He said the 'dead storage' area was used to keep books already stocked in the basement and on the second and fourth floors. Only when they run out of copies there does anybody generally go to the sixth floor.'"

The *New York Times*, after giving the same detail as the *Dallas Morning News*, goes on to say:

"These circumstances indicated that the killer was well aware
of the layout of the building and the uses of the various floors. No elevator goes to the sixth floor from the front entrance. The killer would have had to get off the elevator on the fourth floor, walk to the back of the building and take the stairs or one of two freight elevators to reach the sixth floor."

The police made much of Oswald's familiarity with the building, and of his having applied for the job six weeks before the assassination, a question to which we shall shortly return. But it is obvious that, in so far as the sixth floor made a good hiding place, the argument applies not to Oswald, who had the run of the floor in the course of his work, but to an unknown outsider.

What was overlooked by the press from the beginning, and for good reasons not stressed by the police, was the fact that while the building was excellent for a sniper who knew about the detour, ideal in fact, it was a very poor site for a getaway. Not only would his position be revealed as soon as the shots were fired, but, since the building is isolated, occupying the entire block with a parking lot in the rear, there would be no escape through contiguous roofs. Further, with so many policemen in the street, the building was sure to be surrounded and every exit blocked. This would certainly have been the case except for the strange ineptness of the Dallas police ("The monstrous negligence of the three police services involved," Sauvage), the more strange because Police Chief Curry had immediately ordered the building surrounded as a consequence of his abnormally perceptive hearing. The criticism is not mine but that of U. E. Baughman, former chief of the Secret Service, who told U.S. News and World Report (Dec. 23):

"One of the things I don't understand is how he [Oswald] got out of the building. I wouldn't have let anyone out. Another thing I don't understand is how the police got up to that building so quickly, after the shots were fired . . ."

I share Mr. Baughman's mystification on both counts. The second count we have discussed in Chapter 2; the first will probably never be explained, since there were hundreds of policemen involved. We do know, however, that people went in and out of the building for quite some time. Not only did Oswald leave openly and unchallenged, a few minutes after the murder, but Leo Sauvage reports a conversation with Roy Truly, manager of the Depository, who said there were "a whole lot of people with the officers on the second floor," whom he described as "reporters, photographers, office workers from the other floors, probably outsiders, I guess." Sauvage also reports that for a considerable period afterward people who said they were em-
ployees returning from lunch were allowed to enter the building and that people who said they were reporters or showed a camera were allowed to leave. Comments Sauvage:

"After such an incredible mess, it could not have been an easy job for the FBI to find out several days later who, among the ninety-one employees at least, had been in the building at the time of the murder. Witnesses had mentioned from the beginning that there were several persons watching the motorcade from the windows of the fifth floor, and there may have been more watching from the other windows, as well as some who had remained in their offices. Who were these people and what light could they shed on the slaying?"

The matter of all these people milling about is not academic but is related to an aspect of the building which has received, in my opinion, too little notice: that is, that there were other offices besides those of the firm that operates the Book Depository. I learned that the first floor is a general shipping area and the second holds the cafeteria and the company's administrative offices. The third floor as well as part of the fourth are occupied by publishers' manufacturing representatives, i.e., by people who are not on the staff of Mr. Cason's firm. The fifth floor, I understand, is also used for the purpose of filling book orders. Why Mr. Cason did not mention it in his above-quoted statement I don't know. Nor have I been able to find out who occupies the seventh floor and for what purposes. Maybe a Federal Court will one day help elucidate this intriguing mystery.

Something else I did find out, though, opens up a very interesting new avenue of inquiry. The Texas School Book Depository serves as a book distribution center for books bought by the State of Texas from national publishers; as a matter of fact, all books bought by the state are distributed through this center and another Dallas firm.

That means that Texas State officials would have had regular access to the building and may have maintained offices there (perhaps on the seventh floor?). This angle may be worth exploring—a material impossibility for the author at this time, but certainly not for Federal authorities.

The question of other offices on the third, fourth, and seventh floors and of who had access to them gains further importance by one curious fact: the elevator systems of the building had been immobilized, both the front passenger elevators which went only to the fourth floor and the freight elevators in the rear of the building which went up to the sixth floor. The front system was immobilized by leaving a gate open (Time, Dec. 6, 1963) and the rear system by having the two freight elevators, which are hand controlled from within, left
on the upper floors. Manager Truly was in the front of the building when he heard the shots, and relates that almost immediately a policeman came running in. Truly told Sauvage that he had "no idea" the shots had been fired from the building. "I thought the officer wanted to get to the roof for a better look and I immediately offered to show him how. We ran to the freight elevators in the back of the building... but the two freight cars had both been left somewhere up in the top floors and we took the stairs, the officer ahead of me. When I reached the second-floor landing, the officer was already at the open door of the lunchroom..." where he encountered Oswald with a Coke, which he had just taken from a vending machine. This encounter raises so many questions as to the time element that it will be treated fully in a later chapter. At the moment, we are concerned with the immobilization of the elevators.

Why should Oswald, supposing he were really the killer, not use the elevator to come down? In any case, why immobilize the system if he was so little in a hurry to escape that he could take time out in the lunchroom to refresh himself? If he had planned to run downstairs, what difference did it make to him whether the front elevators were functioning or not, since they stopped on the fourth floor?

But if the assassin was someone other than Oswald, the open elevator gate would indeed make sense. Immobilizing the elevator system would give the killer precious moments to slip away unnoticed—say, into one of the third or fourth floor offices occupied by people not directly connected with the book firm.

That the ambush building had indeed been "chosen with care" must be evident to the most casual viewer. Not only because it commanded—in the military sense of the term—the presidential motorcade route but also because it offered unexcelled facilities for setting up a sniper's hideaway without fear of detection as well as for blurring the traces of the crime.

After Oswald's arrest, much was made by the police—and by the world press, which eagerly picked up the official "clues" and gave them maximum publicity—of the fact that the young man had applied for a job in the Book Depository barely six weeks before the assassination. Didn't that clearly bespeak his intention to commit the crime? That was the conclusion everybody jumped to, and was meant to.

It was not until several days later—long after Oswald had been effectively silenced—that the facts came out: one, that the motorcade arrangements had been made so late that Oswald, when he took that job at the Book Depository, could not have had the faintest notion that
the President would pass near the building, let alone come into its immediate vicinity (as has been set forth in detail in Chapter 1). And two, that Oswald did not apply for that job on his own initiative.

This last fact emerged slowly and in piecemeal fashion. The tipoff again was provided, inadvertently, by the Dallas Morning News, which on Nov. 24 quoted the Superintendent (and director in charge of hiring), R. S. Truly, as saying there had been no detailed check on Oswald’s background when he was put on as a temporary employee.

“Truly said his attention was brought to Oswald by ‘a lady in Irving’ who called and said she had an awfully nice young man with a wife and baby and expecting another who needed work,” the paper went on to say, adding: “Truly said Oswald was living in Irving at that time and that he didn’t know Oswald had moved to Dallas and taken a rented room.”

That reference to “a lady in Irving” whetted the appetites of a number of reporters, for it had long since become common knowledge that Oswald’s family was staying with Mrs. Ruth Paine of 2515 West 5th Street, in Irving, at the time of the assassination.

One of these reporters, Mr. Gene Roberts of the Detroit Free Press (who later did a four-part series on Oswald), related in a dispatch from Dallas dated December 10 how Mrs. Paine, after hearing from a neighbor (Wesley Frazier) that there might be a job at the Texas School Book Depository, “walked to her home, phoned the firm, asked for the man in charge of hiring, got R. S. Truly, superintendent and a director of the depository.

“‘She said she had a fine young man and his wife living at her home,’ Truly recalls. ‘She said the wife was expecting a baby and that the husband really needed work.’

“‘Tell him to come on in,’ I said.

“‘Well, as I remember—the FBI has my files—he came in on the 15th and I talked to him and he seemed a quiet, well-mannered young man. He said he spent three years in the Marines and left me with the idea he was just out of service. I hired him and told him to report to work the next day. The pay would be $1.25 an hour, 40 hours a week. He would work from 8 A.M. to 4:45 with 45 minutes for lunch.’”

Today it is fully established that Oswald did not initiate his bid for a job at the Depository. What is still a mystery is not how he got the job, but how he kept it. For, almost six weeks before the assassination the FBI was informed by Mrs. Paine as to where he worked, and in the last twenty years that agency has made it a policy to inform employers, directly or indirectly, of Communists or suspected Com-
munists working for them. Oswald, ostensibly a defector to the Soviet Union and a pro-Castro sympathizer, would have received short shrift from a Dallas company working for the state of Texas. The peculiar behavior of the FBI will be discussed at length in Part II, including its impact on Mrs. Paine, for she seems to have acted completely out of character during the time that Oswald was under arrest.

This lady—whose picture, incidentally has never been publicized in contrast to all other foreground figures—is supposed to have befriended the Oswalds (*Time* noted that “her kindness seems remarkable”), to have helped Lee Harvey in every possible way including trying in vain to teach him to drive, and to have been very kind to poor Marina, the lonely Russian wife. In this context, therefore, it is important to ask why Mrs. Paine did not come forward with the disclosure that she and not Oswald had gotten the job.

Why didn’t she tell the world—or at least the authorities—promptly after Oswald’s arrest that the young man had not applied for a job at the Book Depository on his own initiative but had been steered toward it?

Why didn’t Mrs. Paine reveal right away that she had not only advised Lee Harvey to go to the Book Depository, but that she had actually procured the job for him by personally calling up Mr. Truly and recommending Oswald to him?

If Mrs. Paine had done so—and was it not her elementary duty to do so under the circumstances?—the accusations directed against Oswald would have appeared in a quite different light. The public, then, would have realized that there could have been no sinister design in Oswald’s application for work at the Book Depository.

Thus Oswald, desperately fighting against odds to prove his innocence while he was being held practically incommunicado by the Dallas police, would have been given effective help by such a statement from Mrs. Paine, made at the right time. Why did she fail her friends in this desperate emergency?

Similarly with regard to the map found in Oswald’s belongings which District Attorney Wade used as a clincher to prove that Oswald had planned the assassination. Because this map is one of the pieces of evidence which has been retracted by the police along with chicken that Oswald was supposed to have eaten, it will be dealt with at length in the next chapter. Suffice to say here that Mrs. Paine eventually revealed that she had given Oswald the map to help him locate the building, *and saw him mark the map*, but her revelation came six weeks after Oswald had been killed.

Why didn’t Mrs. Paine protest publicly and immediately against
the wrongful interpretation of the marked map by the police and Mr. Wade, an interpretation used to crucify Oswald—if such can be done post mortem—in the court of public opinion. Again, the answer may one day be found in the FBI's colloquies with Mrs. Paine. It is an established fact that Mrs. Paine took the initiative in getting Oswald a job in the Depository, and provided him with a map later used to incriminate him. Yet, we are assured, Oswald was supposed to have “chosen the ambush building with care.”

On this score, Mr. Roberts of the Detroit Free Press had this to say: “If, at this time (i.e., when he was hired by Mr. Truly) Lee Oswald was plotting an attempt on the life of Kennedy, then fate was a co-conspirator. (italics mine) A sniper, scheming in advance to fire on the President, could pick no better spot than the Texas School Book Depository Building.

“Although no route had been announced on Oct. 16 for the President's upcoming visit to Dallas, it was rumored in the city that he might be persuaded to tour the downtown area in a motorcade (italics mine). If the downtown tour were made, then the President almost certainly would pass in the shadow of the Depository building, which towers above a triple underpass . . .”

Even Life magazine, which like that other Henry Luce publication, Time, has been in the forefront of the advocates of Oswald's guilt, has been puzzled by Oswald's intentions and designs. In an article entitled “End to Nagging Rumors: The Six Critical Seconds,” published on Dec. 6, 1963, Life wrote:

“The fact that Oswald apparently decided to take a particular job in a particular building on the chance that it might lead to a shot at the President stretches the credibility of any rational observer.”

After this lucid, and sensible, statement, Life makes a somersault in logic and goes on to say: “But Oswald was not rational, and the incredible may have seemed commonplace to his fixed-focus mind . . .”

So the answer to a preposterous series of events which is incredible to a rational observer is that Oswald was “irrational,” a completely irrelevant, as well as unproven, assumption. How did Oswald's “irrationality” induce Mrs. Paine to get him the “particular job in the particular building”? The shooting is irrational only if Oswald did it; it may be very rational when the actual murderers are apprehended. To set up an irrational theory that Oswald did it and then prove he must have done it irrationally is to leave logic for the never-never land of Madison Avenue publicity.
There are two pieces of evidence which indisputably brand as fabricators Chief Curry and District Attorney Wade. In the context of the President's assassination, the deliberate misrepresentation of this evidence by these two men, law enforcement officers sworn by their oath of office to further justice, is well over the line of criminal malfeasance.

There is grim poetic justice that these two pieces of evidence, the alleged “assassination map” and the fried chicken which were given prominence by these men and certain of their colleagues in order to convince the American public of Oswald’s indubitable guilt have since been instrumental in proving instead the guilt of the Dallas police in creating and sacrificing a scapegoat.

In the overall assessment of Oswald’s innocence or guilt, there is more important evidence than the chicken and the map, but these two pieces of alleged evidence played a major role in the development of a lynch atmosphere. They are, in fact, crucial items in exposing Curry, Wade, et al., because in these two instances it can be shown that their misrepresentation was perpetrated knowingly, willfully, and with malice aforethought. In this respect they are different in kind from the other numerous discrepancies which the law enforcement officials lavishly scattered abroad: the nonexistent cabdriver Click, the Mauser rifle that became a Carcano, the several witnesses who saw Oswald at the sixth floor window which became one person who couldn’t identify Oswald, the woman who was supposed to have seen Oswald reload his gun and later couldn’t describe him, Oswald’s laughter on the bus which an eyewitness has denied, and so on and on, a litany of half-truths and fantasies, each of which might be explained away as an error in view of the pressures and rumors (though the cumulative effect of a steady anti-Oswald bias is evident). But the chicken and the map are in a different category entirely: here the officials had time to think, to evaluate, to phrase their statements for maximum effect and accuracy. What emerges is that they consciously and deliberately set out to lynch Oswald. The characterization is not mine but that of the chancellor-elect of the Philadelphia Bar Association.
Shortly after the assassination the remains of a fried chicken, some chicken bones, and an empty Coca-Cola bottle were found at the sniper's window on the sixth floor. The discovery was officially announced by Captain Fritz that afternoon on television. Tens of millions of Americans were given an indelible image of the killer munching as he patiently awaited his victim. Over two million Americans have bought *Four Days*, the book on the assassination compiled by United Press International and the *American Heritage Magazine*. On page 29 is a photograph with this caption:

A lunch bag and a pop bottle, held here by a Dallas police technician, and three spent shell casings were found by the sixth floor window. The sniper had dined on fried chicken and pop while waiting patiently to shoot the President.

This last sentence is totally untrue. We now know who drank the Coke and gnawed the chicken bones, but it is hard for the truth to catch up with the lies of the Dallas police. An FBI agent, Gordon Shanklin, bolstered Captain Fritz on Sunday by saying that a print of Oswald's left index finger had been found on the paper bag containing the chicken bones. Maybe that fingerprint exists; maybe it doesn't: one more item for the Warren Commission to ascertain. What has already been ascertained is that the chicken was eaten and the Coke bottle emptied by another employee of the Depository, Bonnie Ray Williams. Roberts of the Detroit *Free Press* got the story from Manager Truly and reports: "Five Depository employees had worked in the storage room [on the sixth floor] until noon, covering its floor with plywood. One of them, Bonnie Ray Williams, walked near the window at the 10 o'clock smoking break, downed a bottle of pop, chewed on a piece of chicken. This killed the theory that the assassin had eaten while waiting in ambush."

When did Captain Fritz and Police Chief Curry know of Bonnie Ray Williams eating the chicken? Is this why Curry refused, as "unnecessary," to pump Oswald's stomach? And did Captain Fritz, who had been told by several witnesses that they spoke to Oswald shortly before the motorcade passed, consider the contradiction between this fact and his own statements? When would Oswald have had time to eat the chicken?

In this tissue of official obfuscation there is an additional item on the sinister chicken bones. Sauvage reports that when he expressed
concern about the chicken evidence to Assistant District Attorney Bowie on Nov. 27 (three days after Oswald was killed), “Mr. Bowie said—and this I had not previously heard—it had been discovered that the chicken was eaten and discarded near the window the day before the President was shot. Had the police found the man who had eaten it? Mr. Bowie didn’t know.”

The allegation that Oswald had eaten the chicken was blazoned forth on television with much fanfare, its recantation left for a newspaperman to root out. In view of Bonnie Ray Williams’ snack, was Mr. Bowie making up the answer to dismiss a persistent, and unwelcome, reporter? Whatever the reason, the police have dropped the chicken bones but most Americans still believe the original version encapsuled by *Four Days*.

Slanted as they are, the statements about the chicken remains are paragons of veracity compared with what Police Chief Curry and District Attorney Wade concocted about a street map of Dallas. This hoax was initiated by Curry, who announced on Saturday evening, Nov. 23, that he had “startling evidence” against Oswald. He refused to say what this was but next morning the Dallas *Morning News* disclosed that it was a map of the city, so marked as to show Oswald’s plan to murder the President. On Monday Wade confirmed the existence of the map and its crucial significance. In the words of the *New York Times* of Nov. 25: “Today Mr. Wade announced that authorities had also found a marked map, showing the course of the President’s motorcade, in Oswald’s rented room. ‘It was a map tracing the location of the parade route,’ the district attorney said, ‘and this place (the Book Depository) was marked with a straight line.’ Mr. Wade said Oswald had marked the map at two other places, apparently places which he considered a possibility for an assassination.

The impact of the story on the country is indicated in the dispatch published by the normally staid and conscientious *Christian Science Monitor* on Dec. 2:

“A map of Dallas found in Oswald’s room bearing the penciled route of the motorcade, with the assassination site marked and a bullet trajectory from the building. Alternate spots also were marked, any one of which might have been a favorable site from which to fire on President Kennedy.”

All the circumstances surrounding the discovery and publicizing of the map were highly suspect from the beginning. Why should Oswald have considered other locations if his ambush was already so satisfactory? When was the map found? Who found it? Where? The European press, particularly, was extremely sceptical. The reactions of M. Sauvage of *Le Figaro*, which he gave in the April, 1964,
issue of *Commentary*, are a fair sample:

"My own first reaction..." says M. Sauvage, "was to wonder how even the maddest of assassins could leave such a document in his room—unless (unlike Oswald) he intended to boast about it and did not mind dying for it. The second reaction was to wonder how even the most incompetent of policemen could have missed such a document when first searching the five-by-twelve-foot room on Friday. It subsequently appeared, however, that the police hadn't missed the map... on their first search. According to the Friday evening edition of the Dallas *Morning News*, 'FBI and Secret Service men grabbed up his [Oswald's] few belongings before the press arrived, but Mrs. Roberts the [housekeeper] said one thing she noticed was a map of Dallas.'...

"Now, if the map was already marked when it was taken out of Oswald's room on Friday, why should this particular piece of news have been treated so uniquely as to have been kept secret until Saturday? In the second place, the possibility that someone got hold of the map between Friday evening and Saturday morning, shocking though it is, cannot be discounted when we consider the state of Dallas Police Headquarters on Friday and Saturday. Reporters—especially foreign correspondents—have told with retrospective amazement that they could go practically anywhere, sit on tables, use the phones, open drawers to look for a pencil or a piece of paper. No passes were checked, and all doors were opened at the mere sight of a camera, or even an extension cord wrapped around one's shoulder.

"... The idea, indeed, that *Oswald* made these marks seems... improbable. Why should he have done so? At first it was thought that Oswald had studied various possible locations for the assassination before choosing the Elm Street building... This theory, however, collapsed when it was learned that Oswald got the job through no initiative of his own... If Oswald was the assassin... let us say the very location offered a temptation... But what reason could he possibly have had to mark any other point on the map?"

M. Sauvage's doubts at the announcements of Messrs. Curry and Wade were well justified; his questions, at the time, pertinent and shrewd. Today, of course, we know the answer. It appeared in a dispatch of the United Press International from Irving, Texas, dated Jan. 9, 1964. I was in France at the time and read it in *Le Figaro* the next day:

"The famous map of Dallas found in Lee Oswald's room after the assassination of President Kennedy and which had been presented as proof of premeditation of the crime, because the route of the
motorcade and the trajectory of the murderous bullets had been penciled on it in red, may have been, after all, just a map used by Oswald to mark the places where he was going to apply for jobs. Mrs. Ruth Paine, Marina Oswald’s landlady, recalls having given this map to Lee Oswald to help him in his job-hunting and having seen him mark off on it the places of interest to him.” (Italics added.)

So there it is. The pencil marks on that map which had been used to incriminate Oswald actually were made five weeks before the assassination. The “motorcade route” was just Oswald’s way of getting to the Book Depository, where he was going to apply for work; and the “trajectory of the murderous bullet” was just a straight line he had drawn to mark off that building distinctly. As to Mr. Wade’s alternative possibilities for assassination, they turn out to be just other job opportunities he was going to look into, or possibly landmarks to guide himself. Now one can understand why this map was never made public, and some Dallas officials have had the impudence since to suggest it doesn’t exist! One can only hope it will see the light of day in the report of the Warren Commission.

It is my opinion that both Curry and Wade knew from the beginning that their public interpretation of the map was false and hence they did not release the map. Further, Wade at first dissociated himself from Curry. At his famous press conference, after Oswald’s execution by Ruby, he presented fourteen points to “ clinch” his case, but excluded the map. When reporters asked him of Curry’s “startling evidence,” he replied: “I don’t know. That wasn’t me that said that. . . .”

Even the next day, when he described the map he took pains to say that he hadn’t personally seen it, yet the disclaimer was lost in the wealth of detail and assurance with which he gave it. The most despicable aspect of this performance was that, Oswald now dead, Wade knew he had little to fear from letting his macabre fancy play. Consciously and deliberately, Curry, Wade, et al. used evidence they knew was phony to convince the American public that Oswald was guilty as charged. Wade used the map when it was clear that his press conference performance was losing appeal and that some of his fourteen points were proving vulnerable. It is time to take a look at this upholder of justice, Dallas style.
Henry Menasco Wade, District Attorney of Dallas County, Texas, will go down in history on at least four counts.

One, as the man who prosecuted both Lee H. Oswald and Jack Ruby; one legally and the other on TV.

Two, as the law officer who brought about one of the worst miscarriages of justice in the annals of U.S. law.

Three, as the public figure who contrived to impose on world opinion the crudest legend ever fabricated—or prefabricated—by officialdom.

And four, as the judicial artist who introduced a startling innovation in law-enforcement procedures: the trial by television.

Wade acted as an impresario, with a sense of timing and showmanship that old vaudevillians might envy—and as cavalier a treatment of facts. The only trouble was that he was not in a music hall and his straight man was murdered. M. Sauvage has said bitterly: "Oswald was convicted of the crime by the Dallas Police Department before being executed in the basement of its headquarters... not to close his mouth but to close his trial." His accusers were justly fearful of the devastating implications were the accused subject to cross-examination.

Henry Menasco Wade is a member of one of the most prominent legal families in Texas. His father, who bore the same name, was a judge in Rockwell County near Dallas, and of his seven brothers five are lawyers or judges in the state. When it comes to winning convictions in capital cases, District Attorney Wade is without equal in the state of Texas and possibly in the whole country.

An example of his performance appears in the Nov. 25 issue of Newsday: "In a recent murder case, and after an impassioned defense plea, Wade rose and summed up the state's case in one sentence. 'Ladies and gentlemen,' Wade told the jury, 'this boy belongs in the electric chair.' The jury returned a guilty verdict in less than three hours."

Mr. Wade's proudest boast, publicized ad nauseam, is that in his thirteen years of office he has obtained the death penalty 23 times out of 24, and the defendant who escaped the chair got life imprisonment.
Of the evidence against Oswald, Wade said that he had "sent men to the electric chair on less evidence," and his final word on behalf of the Dallas authorities was: "I would say that without any doubt he [Oswald] is the killer . . . there is no question that he was the killer of President Kennedy."

In a pen portrait of Mr. Wade in the New York Times of Nov. 28, there is an important item: he is "an alumnus of the FBI. As an agent of the Federal Bureau of Investigation, we learn, he served in Boston, Baltimore, and Washington and worked on harbor security in New York. "One picture on his office wall is a portrait of Lyndon B. Johnson. Another is of J. Edgar Hoover."

According to the same source, Wade "has been wryly amused at rumors in recent days of friction between himself and the Federal Bureau of Investigation in dealing with the case of Lee Harvey Oswald. . . ."

I can well understand Mr. Wade's "wry" amusement at such a preposterous rumor. The Dallas bureau of the F.B.I., the Dallas Police Department, and Mr. Wade have all been in the same boat since well before the Kennedy assassination and it is hardly surprising, therefore, that they kept going in the same direction after the deed.

Wade's reactions at the news of the assassination were published in the Dallas Morning News of Nov. 23. One aspect is worth recording as giving an insight into Wade's view of due process.

"Fred Brunes, a leading defense lawyer, was seated near Wade when the district attorney learned of the shooting.

"Fred, would you defend a man who would shoot down the President of the United States?" Wade asked.

"Definitely not,' Bruner replied.

Here we have the highest law officer of Dallas County publicly expressing the view—clearly implied in the question and the acceptance of Bruner's answer—that a man accused of having shot down the President of the United States should be denied his constitutional right to representation by counsel.

Perhaps more important, however, is Wade's first reaction to the assassination. That he believed a conspiracy was involved is evident from his earliest remarks, published in the Dallas Morning News:

"Everyone who participated in this crime—anyone who helped plan it or who furnished a weapon knowing the purposes for which it was intended—is guilty of murder under Texas law. They should all go to the electric chair."

He repeated to the News reporter, "The electric chair is too good for the killers."

Mr. Wade's assumption that there were people who "helped
plan” the murder and other people who had furnished a weapon “knowing the purpose for which it was intended,” had changed within a few hours to a firm conviction that Oswald, and Oswald alone, had committed the crime.

The “evidence” which caused him to change his mind was well prepared by Wade himself, and presented by him in the most formal manner at the famous press conference of Sunday night, Nov. 24, the day Oswald was killed.

It is important to realize that Wade’s press conference was his attempt to stop the groundswell of criticism that followed Oswald’s murder while handcuffed in the custody of the police. Wade’s first reaction to Oswald’s execution was that the circumstances of Kennedy’s assassination had become “moot”—a legalism which indicated that no further investigation was necessary. The public’s indignant rejection of this contention led him to present his view that “There is no question that he [Oswald] was the killer of President Kennedy.”

The news conference was therefore a serious matter, vastly different from the improvised declarations of the authorities in the first forty-eight hours. It was a formal presentation, carefully considered. Wade opened the conference by stating: “I am going through the evidence piece by piece for you.” In fact, as a reporter at the conference has written:

“His orderly listing of the evidence never got beyond the first item; all the other ‘proofs’ were soon mixed up in an incredible disorder that made any kind of itemized sequence impossible.”

Out of Wade’s jumble of points, 14 assertions were sorted out, as follows:

1 — A number of witnesses saw Oswald at the window of the sixth floor of the Texas School Book Depository.
2 — Oswald’s palm print appeared on the rifle.
3 — Oswald’s palm print appeared on a cardboard box found at the window.
4 — Paraffin tests on both hands showed that Oswald had fired a gun recently.
5 — The rifle, an Italian carbine, had been purchased by Oswald, through the mail, under an assumed name.
6 — Oswald had in his possession an identification card with the name Hidell.
7 — Oswald was seen in the building by a police officer just after the President had been shot.
8 — Oswald’s wife said that his rifle was missing Friday morning.
9 — Oswald had a package under his arm Friday.
10 — Oswald, while taking a bus from the scene, laughed loudly as he told a woman passenger that the President had been shot.

11 — A taxi driver, Darryl Click, took Oswald home, where he changed his clothes.

12 — Oswald shot and killed a police officer.

13 — A witness saw Oswald enter the Texas Theater.

14 — Oswald drew a pistol and attempted to kill the arresting officer.

On the strength of this ostensibly impressive array of facts, District Attorney Wade “convicted” Oswald, who of course was not there to defend himself. A few hours earlier he had expired at Parkland Memorial Hospital, where President Kennedy had died two days before. Yet, when Wade’s statements are examined by a legal expert, as was done by attorney Mark Lane, former New York State Assemblyman, their significance evaporates and in some instances they show that Wade was lying.

Let us begin point 1, with Wade’s unequivocal assertion: “First, there was a number of witnesses that saw the person with the gun on the sixth floor of the bookstore building, in the window where he was looking out.”

In fact, Wade was never able to produce a “number of witnesses,” for the good reason that there was only one witness. He was first spotted by O. V. Campbell, vice president of the depository firm, who was leaving for lunch with manager Truly at 12:20, and who was in front of the building when he heard the shots (Campbell, incidentally, thought the first shot was a firecracker). Life reports that Campbell heard someone say: “I saw a young white man poke a rifle out of that window right up there and fire and draw back in.”

This eyewitness was H. L. Brennan, a 44-year-old steamfitter, who told reporters: “After the first shot, I looked up and saw him. The gun was sticking out of the window. I saw him fire a second time. He was a slender guy, a nice-looking guy. He didn’t seem to be in no hurry.”

Not only does this witness fail to help Wade’s case against Oswald but he causes questions about police procedures to be raised. For Brennan is quoted by Newsweek (Dec. 9) to the effect that he couldn’t identify the sniper: “I can’t identify him, but if I see a man who looks like him, I’ll point him out.” As Mr. Lane emphasizes, such “identification” would not be permitted during a trial, and the question therefore arises: Why didn’t Wade or the police make the confrontation between Oswald and Brennan while Oswald was alive? This is normal and elementary police procedure. So much for point 1.
Point 2: Wade’s assertion that Oswald’s palm print appeared on the rifle is also a lie. This was proven when the FBI stated that “no palm prints were found on the rifle,” a piece of information given to reporters in an off-the-record briefing session and published in the Fort Worth press.

Point 3: Oswald’s palm print on a cardboard box found near the window is, of itself, irrelevant. Anyone could have put the box there and Oswald, as a stockroom clerk, would naturally handle cartons. Moreover, as Lane points out, “an over-zealous investigatory staff might arrange to secure such a print after the fact. . . . A district attorney who states falsely that a palm print is present on the murder weapon might make a similar statement in reference to a cardboard box.”

Point 4, the paraffin tests, is one of the most damnable bits of misrepresentation in the whole of Wade’s conference, and one which proves that Wade knowingly suppressed evidence favorable to Oswald in order to mislead the public.

When a weapon is fired, the gunpowder in the cartridge bursts into a gas that propels the bullet. A small portion of the gas escapes from the weapon and touches the hands of the shooter if it’s a pistol, or hands and cheek if it’s a rifle. Solid particles of nitrate, which are present in the gas and become embedded in the flesh, are recovered by a paraffin test. Wade said that the paraffin tests showed that Oswald “had recently fired a gun—it was on both hands.”

A reporter asked: “Recently fired a rifle?”

Wade: “A gun.”

At the moment he made the statement Wade had proof from a laboratory that the paraffin test on Oswald’s cheek was negative: he had not fired a rifle! He may have fired a pistol (the paraffin tests were positive on the hands), but he couldn’t have fired a rifle without elaborate precautions against a paraffin test. If he did that, why not protect the hands with gloves? By evading the reporter’s direct question as to whether it was a rifle that Oswald had fired and saying “gun,” Wade was deliberately and consciously misleading the American public. The existence of the negative laboratory report has been long suspected; the Washington Star mentioned it on Nov. 24, but it has since been confirmed by Mr. Lane, who stated in a speech in Rome that he had copies of the reports in his possession.

Point 5 concerns the rifle and is partly true, partly unproven if not actually false. Oswald did own an Italian rifle, as alleged, a Carcano purchased through the mail under the name of Hidell, but whether this Carcano was the one that killed the President—and whether a Carcano was indeed the murder weapon—remains to be proven. Wade,
no stranger to rifles, after hours-long examination of the murder weapon, had previously stated with no hesitation that “the murder weapon was a German Mauser.” It was only the next day, when the FBI reported that Oswald had purchased an Italian rifle, that Wade changed his story. As we shall see later when comparing the photographs of the weapons involved, the make of Oswald’s rifle is one of the weakest links in the official case against him.

Point 6: That Oswald had an identification card in the name of Hidell is irrelevant to the murder. Oswald did have a rifle. The issue is whether that rifle was used as the murder weapon, not what name it was bought under.

Point 7: Oswald was seen in the building by a police officer. Why not? Why shouldn’t Oswald be in the building where he worked? What is significant is the circumstances of the confrontation between Oswald and the police officer. According to Wade, “A police officer, immediately after the assassination, ran into the building and saw this man in a corner and tried to arrest him. But the manager of the building said he was an employee and it was all right.” The impression is created that the “cornered” man was caught almost red-handed. The facts are that Oswald was found in the lunchroom with a Coca-Cola bottle in his hand, which he had presumably just taken from a vending machine nearby. Manager Truly, who identified Oswald in the lunchroom, has stated that the police officer came dashing in immediately after the shots were fired. He told Sauvage: “It was as soon as the last shot was fired when I saw the officer come running. As a matter of fact, it was so soon afterwards that I don’t believe he was riding in the motorcade. He must have been off his motorcycle, standing by.”

Truly goes on to say that they ran for the rear elevators and when they saw that the elevator cages weren’t there, they ran up the stairs, with the officer reaching the lunchroom on the second floor about twenty feet ahead of Truly, who couldn’t tell “exactly how much time it took, all this, but it wasn’t long.”

But we can reconstruct the time. After the police officer who faced Oswald with drawn gun had been told Oswald was an employee, the officer went out. Oswald, says Life magazine, “ambled out of the lunchroom a few moments later with a Coke in his hand. A woman switchboard operator saw him and said: ‘Wasn’t that terrible, the President being shot?’ Oswald muttered something which she didn’t understand. He walked through the office, down the steps to the first floor and out of the front door. It was about 12:35.

“At 12:40 Oswald knocked on the door of a bus on Elm Street. . . .”
Time magazine set 12:40 as the time Oswald left the building, but 12:40 was the time given by the driver of the bus, and the place where Oswald got on was seven blocks away; five or six minutes is the minimum time he would need to walk the distance. If Oswald got out of the building at 12:35, and we allow two minutes for his confrontation with the officer (who exchanged a question and answer with Truly), talking to the woman, and walking out, 12:33 is the probable time that the officer first saw Oswald. Kennedy was shot between 12:30 and 12:31, which means we are asked to believe that Oswald in two and one-half minutes ran from the front window on the sixth floor to the back of the building, cleaned the rifle of fingerprints, hid the weapon (it was found shoved among cartons), ran down four flights of stairs, slowed up before entering the lunchroom, searched for coins in his pocket, put a coin in the vending machine, waited as the mechanism rumbled its delivery of the bottle, opened it, and turned around in complete self-possession to see the officer with a gun. The whole scene is palpably ridiculous.

There is another way to check the time element. We known from Truly that the officer ran into the building almost as soon as the last shot was fired. Both the sniper and the policeman are therefore in a race starting from the same point, the front of the building, one at the street level and the other six flights up. They both run as fast as they can through the building, the policeman racing up one flight, the sniper racing down four flights (but wasting precious seconds to hide the rifle), and the sniper beats the policeman by a sufficient margin to get to a vending machine, etc., without even panting.

It might be thought that the metaphor of a race between Oswald and the policeman is not apt because Oswald knew the building and the officer didn’t. Moreover, how do we know the police officer didn’t waste time looking for the elevators and the stairs? The answer is that Mr. Truly, the manager, was leading the officer. It is Truly who realized the freight elevator cages were not there. Truly would know instantly that they would have to use the stairs right by them because those freight cages could not be called down by pressing a button. They had to be manually operated by someone inside them. Truly wouldn’t, and didn’t, waste any time; he used the word “raced.”

On Saturday, Nov. 24, Chief Curry provided a few more details of this encounter between the policeman and Oswald. Curry said there were “other persons” in the lunchroom, a fact which has never been denied. Who were those other persons? Did they see Oswald running? Had they noticed Oswald in the lunchroom when the shots were fired?

There is still more. Life mentions a switchboard operator who spoke to Oswald, and Sauvage checked the story with Truly. “Yes,
he [Truly] confirmed, that was the story told to the FBI. . . . But, he added, it wasn't the switchboard operator who spoke to Oswald. It was another woman working in the same office, and yes, that office is 'right next to the lunchroom.' Did either of these two women notice the noise Oswald must have made in the corridor rushing down from the sixth floor? Mr. Truly didn't know. Nor did he remember whether the FBI had asked them.

Point 8: Oswald's wife said that his rifle was missing from the garage on Friday morning. This again proves nothing. It could have been stolen or removed surreptitiously by someone wishing to incriminate Oswald. But Wade's authority for the assertion that the rifle was missing was Marina Oswald: "The wife had said he had the gun the night before, and it was missing that morning after he left." No one knows what Marina actually did say; the New York Times of Dec. 8 reported that Mrs. Oswald said she never knew he owned a rifle; a Secret Service "leak" claimed that she said she saw something in a blanket that might have been a rifle. In any case, the ease with which the rifle could have been taken from the garage invalidates this item as evidence.

Point 9: Oswald had a package under his arm on Friday morning. Further, he "went home one day earlier on Thursday night and came back [to Dallas] with this fellow [Frazier], and when he came back he had a package under his arm that he said was window curtains, I believe, or window shades."

Here again Wade is remarkably inaccurate for a lawyer. His source was Frazier, the fellow employee of Oswald who lived in Irving, and Oswald had told Frazier the package held curtains rods. In fact, according to Frazier, Oswald had referred to those curtain rods twice, once on Friday morning and once on Thursday afternoon when Oswald had asked him for a ride to Irving.

"You're going out there in the middle of the week now?" Frazier asked. "I thought you went only on weekends."

"I want to get some curtains rods," was Oswald's curt reply. He was a man of few words.

Again, when Frazier at about 7:15 the next morning saw Oswald come to the car carrying under his arm a long package wrapped in brown paper he asked, "What have you got there?"

"Curtain rods," Oswald replied, as uncommunicative as ever.

Neither the Dallas police nor the District Attorney ever made the slightest attempt to verify Oswald's assertion that he had gone out to Irving during the week to get some curtain rods and that he carried these to his place of work. They were, from the start, so convinced of his guilt—or rather so determined to convict him—that
they dismissed this claim automatically.

As a matter of fact, any independent and unprejudiced observer who, like this writer, has seen with his own eyes that tiny room at Mrs. Gladys Johnson's boarding house at 1026 North Beckley Avenue in the Oak Cliff section of Dallas must have been struck immediately by one peculiarity: the entire "wall" facing you as you enter this cubicle from the Johnsons' large living room consists of four windows.

With a ground-floor window front running the full length of his room and opening out on the neighbor's driveway, Oswald was indeed living, as his landlady herself said in the course of a 45-minute talk I had with her, in "the most public room" of the house. A goldfish has more privacy in his glass bowl than Oswald had behind this unbroken window front, especially at night, when his room was glaringly lighted by an unshaded bulb dangling from the ceiling.

In a cheap rooming-house like Mrs. Johnson's, you don't argue with the landlady about improvements. Either you take care of them yourself or you do without. If Oswald wanted curtains, he would have had to install them—and the first step might well have been to get some curtain rods!

But why, it might be argued, should Oswald want to procure these rods in suburban Irving rather than in metropolitan Dallas? There may be a very simple and plausible explanation for that apparent anomaly, too. The Oswalds had lived before in a number of small apartments, in Dallas as well as in New Orleans. On moving out, they undoubtedly had taken along all of their small belongings and these could very well have included a set or two of curtain rods.

I have spent some time on this not because it is a major point—it is not up to me to prove what the package contained; it is up to Wade to prove that the package held a rifle—but merely to suggest that Oswald's actions could have a simple and innocent explanation rather than the sinister interpretation given to them by the District Attorney.

Point 10 is best savored in Wade's own unique prose, as taken from the transcript of the New York Times. "The next thing we hear of him [Oswald] is on a bus where he got on, a bus at Lamar Street, told the bus driver the President had been shot, the President. Told the lady—all this was verified by statements—told the lady on the bus that the President had been shot. He said, 'How did he know.' He said a man back there had told him. The defendant said, 'Yes, he's been shot,' and laughed very loud."

The veracity of this statement is as weak as its syntax. Oswald did not get on the bus at Lamar Street, he did not make the statement attributed to him, he did not laugh, and nothing that Wade
said has been substantiated. There happened to be on that bus a woman who knew Oswald and who testified that he never opened his mouth. I now quote from the *New York Herald Tribune* of Nov. 29:

“An elderly Dallas woman, who asked to remain anonymous, told investigators that she rented Oswald a seven-dollar-a-week room Oct. 7 to 14 . . . She said she saw Oswald one more time, the day the President was slain. She went downtown to see the President, she said, and watched from a corner less than six blocks from the site where the President was killed.

“I caught a bus home, and several blocks later I saw him [Oswald] get on,” she related. ‘I remember thinking how bad he looked. He was dirty and wearing an old brown shirt with the tail hanging out. I didn’t look at him, and *he didn’t say anything.*’” (Italics added.)

This woman really exists; her name and address are known, even if not for publication. She has a rooming house, also at Oak Cliff, where Oswald stayed for a week before moving into Mrs. Johnson’s place in the same area. He had an argument with this landlady, so she certainly wasn’t favorably disposed toward him. Yet she made this statement to “investigators” several days after Wade at his press conference had come up with that fabricated story of how Oswald had laughed out loud upon hearing that the President had been shot. The realistic tone of the actual witness enhances its value.

The information that Oswald did not get on the bus at Lamar Street was given to reporters by the bus driver, a man named McWatters. But the place is unimportant when compared with the direction in which the bus was going, and here we come to a psychologically significant point which can best be appreciated after the reader has examined the map of downtown Dallas in the documentary section of this book.

Oswald, we have been told by authorities, killed President Kennedy and thereby committed “the crime of the century.” That’s no trifle and the consequences to be expected are not likely to be trivial. Indeed, the foreseeable and inescapable result of such a deed would be to create instant traffic chaos, with police squad cars racing to the scene from all sides (actually more than 100 were counted in the area); excited hordes of people churning about; policemen, sheriff’s deputies, F.B.I. men, and Secret Service Agents swarming all over the place.

What, then, would an assassin do if by a stroke of chance he had managed to get away from the scene of his crime and onto the
street at a comparatively quiet spot?

He would keep walking, or drive, or ride in a bus or taxi in a direction that would take him away from the scene of the crime as quickly and safely as possible.

What did Oswald do?

He did what he used to do every workday of the week at about 5 P.M. He got on a bus that would take him, in about eight minutes, near his room in Oak Cliff.

And that bus not only had to go through the triple underpass, but, since it ran on Elm Street, it had to use the extreme right lane leading toward it, thus passing the very spot on Dealey Plaza where President Kennedy had been assassinated!

What more convincing indication could there be of Oswald’s innocence than this abortive bus ride home?

For, sure enough, at the corner of Poydras Street (between Griffin and Lamar) the bus on which Oswald had taken a seat got caught in an impenetrable traffic jam.

When he realized that he would not be able to get home that way without substantial delay, Oswald became impatient; he got up and asked the driver for a transfer, then stepped off the bus to seek other means of transportation.

He first walked two blocks south to Commerce Street, where he realized that all bus traffic had come to a standstill. Then he hailed a taxi.

This brings us to Mr. Wade’s 11th point: “He then—the bus, he asked the bus driver to stop, got off at a stop, caught a taxicab driver, Darryl Click—I don’t have his exact place—and went to his home in Oak Cliff, changed his clothes hurriedly, and left.”

The reader who has come to expect at least one misstatement of fact per paragraph of Wadish prose will not be disappointed: There is no taxi driver named Darryl Click. When this was later disclosed, the name of the driver was changed to William Whaley. Whaley, who did take Oswald to Oak Cliff, knew how to stay clear of the widening chaos in traffic. He made a detour through Jackson and Austin Streets, then avoided the triple underpass by taking the Houston Street viaduct to Oak Cliff.

“What the hell do you think happened?” Whaley asked his passenger. Oswald did not answer.

“To 500 North Beckley,” he commanded. That was five blocks past his actual address on Beckley Avenue, coming from downtown Dallas, but then, as we shall see in Part II, Oswald had reasons for not calling attention to his exact address.

At his announced destination, Oswald got off, paid the driver
one dollar, and briskly walked back to the 1000 block, where he lived.

There are three more points in Wade's evidence having to do with the murder of Patrolman Tippit and Oswald's arrest. They are so important and germane to Oswald's guilt or innocence that they will be taken up in separate chapters. Our concern at the moment is to show that in the eleven points discussed so far, District Attorney Wade has at best indicated that Oswald was a suspect but by no stretch of the imagination has he proven his guilt. That Mr. Wade may have had afterthoughts on the effectiveness of his presentation is indicated by his treatment of the "assassination map." For it was at the end of this press conference that reporters asked him about Chief Curry's "startling" new discovery and Wade replied he didn't know about it. Next morning, without explanation, Wade confirmed the existence of the map and described it as having a trajectory of the bullet drawn on it. This was, as we have seen, an unmitigated falsehood.

The most suspicious actions of Oswald are his flight from the depository and his hurried departure from his rooming house. But this flight, too, is susceptible to many explanations, including one which I shall present in Part II as the most probable. However, to me, one point is indisputable: Wade stands condemned as unfit for his office. His repeated distortions, half-truths, and outright falsehoods raise serious suspicions as to his motives and his own role in the tragic events.
"One of the great fundamentals of American justice which John Kennedy many times praised and worked for was violated during the last two days in Dallas," former Governor Goodwin Knight of California declared on Nov. 24, 1963, after the brutal slaying of Lee Oswald at Dallas police headquarters.

"Apparently the evidence against Oswald was overwhelming," Mr. Knight went on to say, "but under our great system of American justice he was still entitled to a fair trial and he was still entitled to protection."

The former Governor sharply criticized Dallas Chief of Police Curry and District Attorney Wade for their handling of the Oswald case, according to a U.P.I. dispatch from Los Angeles (Nov. 24, 1963).

Mr. Knight expressed in measured words the shock and anger of the American people. Throughout the nation this indignation found voice in editorial after editorial, spotlighting the irresponsibility (or worse) of the Dallas police and district attorney. The New York Times in its Sunday editorial following Oswald's murder was grimly specific:

"The primary guilt for this ugly new stain on the integrity of our system of order and respect for individual rights is that of the Dallas police force and the rest of its law enforcement machinery. . . . The Dallas authorities, abetted and encouraged by the newspaper, TV and radio press, trampled on every principle of justice in their handling of Lee H. Oswald. . . . Before any indictment had been returned or any evidence presented and in the face of continued denials by the prisoner, the chief of police and the district attorney pronounced Oswald guilty. 'Basically, the case is closed,' the chief declared. The prosecutor informed reporters that he would demand the death penalty and was confident 'I'll get it.'" (italics added)

The Times editorial echoed across the land. "Dallas police . . . should be investigated" (St. Louis Globe Democrat); "Dallas authorities are responsible for the Oswald case" (Omaha World Herald); "The conduct of criminal justice in Dallas . . . must go on trial" (Washington Post); "...the brutal denial of Oswald's legal defense" (New Orleans States-Item); "Yesterday in Dallas . . . justice was
desecrated, defiled and destroyed” (Newark Evening News); “A blunder so fantastic that it almost seemed contrived” (Miami Herald); “A municipal police . . . incredibly violated one of the first rules of police custody” (Baltimore Sun); “What criminally stupid carelessness could have prompted the Dallas authorities . . . this is lynch law which mocks civil rights” (New York World-Telegram and Sun).

Suspicion and scorn of the police run like red threads through all the editorials, as does the basic point made by the Times editorial that, despite Oswald's assertion of innocence, the chief of police and the prosecutor had used press and television to prejudice a fair trial and convict their prisoner. The atmosphere created, the technique used, and the effect achieved are all vividly described by a veteran reporter, Jack Altshul of the Long Island Newsday:

"An hour after John F. Kennedy was assassinated on Friday, a man could sit down in his living room and watch with horror, fascination and grief as each new development flashed on the television screen. . . . Here it was on the screen; a suspect, being dragged out of the theater, fighting police, spitting and snarling and protesting innocence . . . You heard his voice: 'I didn't kill anybody!' You wondered if he was the right man, but the police officials were releasing just enough evidence, bit by bit, to make it seem that it could be nobody else. He worked in the building from which the shot heard round the world was fired. He had a grudge motive. He had ordered a rifle similar to the one that killed the President. And favorable paraffin tests. And handwriting. And a photograph showing him with a rifle that fitted the murder weapon's description. Circumstantial evidence was convicting Lee Oswald before the jury that watched television." (italics added)

Every bit of evidence Mr. Altshul mentions (except the photograph, which we shall shortly discuss) has been shown in previous chapters to be fabricated or irrelevant, yet a shrewd newspaperman like Altshul was completely taken in. It wasn't his fault; he was only getting one side of the story, what attorneys call an ex parte presentation, which is exactly what a trial, with its cross-examination, is designed to obviate. Seven professors of criminal law at the Harvard Law School stressed this point in a letter to the Times, Nov. 27, which condemned “the public spectacle, carried on in the Dallas police station . . . justice is incompatible with the notion that police, prosecutors, attorneys, reporters and cameramen should have an unlimited right to conduct ex parte public trials in the press and on television.”

Oswald was convicted in a trial by television by District Attorney Wade and the Dallas police and executed by a known hoodlum with
a police record in the basement of the police headquarters. These are facts and the guilty parties are the Dallas authorities who, in Governor Knight's accusatory words, "were trying Oswald via television and newspapers when they should have been directing their attention toward gathering the evidence and making sure that the accused would face a trial."

"This is the crime of the century," Mr. Knight said, "yet because of the carelessness of these officials in Dallas the American people will now forever be denied the whole truth of the assassination." (U.P.I. dispatch Nov. 24, 1963.)

Carelessness is too weak a word for the police behavior; a more proper word would be frame-up. Everything that happened to Oswald from the time the police set upon him in the Texas theater was done for one purpose and one purpose only: to make him look guilty at all costs, to deny him all facilities for defense and rebuttal, and to obliterate all trails that might lead in a different direction.

First, here is an eye-witness account of Oswald's arrest as reported in the Dallas Morning News of Nov. 23 under the headline "Suspect Captured in Movie Theatre."

"I protest this police brutality," cried President Kennedy's suspected assassin, as police dragged him from the darkened Texas theater in Oak Cliff Friday afternoon.

"A crowd of several hundred pressed forward, chanting, 'Kill the S.O.B.!' Had not officers moved quickly and with authority, 24-year-old Lee Harvey Oswald might have suffered a worse fate than the world leader he is suspected of killing. . . ."

Later on in the same article one reads: "Police tried to put one of their caps over the man's face and another held his mouth shut as they piled him in an unmarked police car. . . ."

Elsewhere in the same paper, one finds this illuminating paragraph: "As he was being led from the press conference, reporters questioned Oswald about a bruised eye. 'The police hit me,' he said." (italics added)

Gladwin Hill of the New York Times (Nov. 23, 1963) noted in this respect: "His left eye was slightly blackened, and there was a contusion on his right cheekbone."

Here, then, is a clear-cut case of police brutality. But that was only the first in a long series of flagrant violations of Oswald's civil rights and constitutional safeguards.

Little has appeared in the world press about Oswald's questioning at police headquarters, what was asked of him and what he replied. There is a good reason for this conspicuous lack of information: the police never released a detailed account of these proceedings,
much less a transcript.

However, in the Dallas Morning News of Nov. 24 there appeared a most revealing story on this subject under the telltale headline: Oswald Arrogance Irks Prosecutor.

"A prosecutor described Lee Harvey Oswald Saturday as 'the most arrogant person I've ever met.'

"Assistant District Attorney W. F. Alexander made no secret of his personal dislike of the Communist sympathizer accused of murdering President Kennedy.

"Alexander, who spent fifteen minutes with Oswald in a room at police headquarters, told the Dallas Morning News:

"'As a lawyer and officer of the court, I will do everything I can to see that Oswald gets a fair trial. But, as an individual, I detest him. He is the most arrogant person I've ever met. I got the impression he enjoys being in the spotlight. It's obvious he is a Communist sympathizer..."' (italics added)

Yes, they detested him, these upright law officers Wade and Alexander, because Oswald had the impertinence to insist on his constitutional rights. I make no brief for Oswald as a person, but there is something pathetic in his belief that he would get due process. He told his mother, when she saw him for a fleeting instant in the Dallas jail: "Don't worry, Mother. Don't interfere, I can handle this. I know my rights." His words bespeak a naive, almost blind belief in the justice of the authorities when his innocence would become apparent. "I didn't kill anybody," he had shouted as he was led out of the theater, and all his statements and demeanor afterward were those of a man confident that all he needed was a lawyer to set matters straight. The last public words he ever spoke, seconds before Ruby's bullet ripped into his body, were spoken to reporter Ike Pappas: "I'd like to see a representative of the American Civil Liberties Union."

Mr. Pappas has given the most graphic description of the confrontation between Oswald and the reporters in the June, 1964, issue of Impact magazine. He writes:

"Reporters stood on every available chair and table. A mass of eager faces looked toward the door as Wade and Curry struggled in. It was hot. The shouting continued until Curry spoke up:

"'Now listen!' he shouted. The room quieted, and he continued: 'We do not want anyone to rush up here. If we have that, we will take the man out of here immediately, and you will not have another opportunity to see him.'

"Someone over my left shoulder whispered: 'Jesus, they're not going to bring him into this mess, are they?"
“They were . . . Suddenly, there was a commotion at the doorway. Lee Harvey Oswald, handcuffed and looking straight ahead of him, walked into the lineup room escorted by a dozen detectives wearing the Texas trademark—a ten-gallon hat.

“Oswald stopped at the spot Wade and Curry cleared for him. He appeared remarkably calm. His face was frozen in a half smile, half frown. It glistened in the TV lights. He wore a brown jacket and underneath it, a soiled T-shirt. His right eye was swollen and bruised from the fight with police when he was captured in a Dallas movie theatre.

“Oswald’s eyes darted around at all the faces. Everyone was quiet now. In the sudden stillness, the whirr of the movie cameras and the click, click, pop of the still cameras were magnified a hundredfold. The reporters pressed forward. Twenty microphones were flung into Oswald’s face. He began to speak in a controlled, low voice:

“I really don’t know what the situation is, other than I am accused of killing a policeman. I know nothing more than that. I’m waiting for someone to come forward to give me legal assistance.’

“Someone yelled: ‘Did you kill the President?’ Oswald showed no emotion. ‘I have not been charged with that,’ he replied calmly. ‘The first thing I heard about it was when the reporters in the hallway asked me that question.’

“Oswald began to say something else, but a detective yanked his arm and the other detectives began to back out of the door. The prisoner was taken upstairs, to the fourth-floor jail, to be formally charged with the murder of the President.”

But in fact Oswald was not, and has never been, formally charged with the assassination of President Kennedy. This fact, and the refusal, through trickery, to provide a lawyer are additional proof of the cover-up by Wade and Curry. No wonder a detective “yanked his arm” when Oswald began to talk. He was never to get a second chance.

As far as the legal proceedings are concerned, Oswald was charged only with the shooting of Patrolman J. D. Tippit (that he was just as innocent of that crime, too, will be proved in following chapters). The accusations leveled against him by the Dallas police and district attorney with regard to the President’s assassination were strictly for public consumption, or rather for the purpose of misleading the public. They were never embodied in a valid legal document.

The word “valid” has to be emphasized here because the Dallas authorities did put out, quite manifestly for purposes of camouflage and deception, a legal-looking document which has been widely re-
produced in the world press. For greater effect, U.P.I. distributed a picture (reproduced in our documentary section), on which one sees a long-faced, sad-eyed Dallas official—none other than Asst. D. A. Bill Alexander, holding up this peculiar “document” like a town crier’s manifesto. Let’s take a close look at it.

Form 141  AFFIDAVIT General

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS
PERSONALLY APPEARED before me the undersigned authority this affiant, who after being by me duly sworn, deposes and says your AFFIANT has good reason to believe and does believe that one

Lee Harvey Oswald

hereinafter styled Defendant, heretofore on or about the 22nd day of November 1963, in the County of Dallas and State of Texas, did then and there unlawfully, voluntarily and with Malice aforethought kill John F. Kennedy by shooting him with a gun

Here this singular “Affidavit” ends. One does not learn who the “affiant” is, before which “authority” he personally appeared, nor what good reason he had to believe that one Lee Harvey Oswald, with Malice (capitalized in the original text!) aforethought, did kill one John F. Kennedy by shooting him with a gun. And, of course, there is neither any signature nor an official seal affixed to the “Affidavit.”

Imagine an unsigned half-written “document” like that being introduced as evidence in a court of law—even in Texas!

The astounding fact that Oswald was legally charged only with the Tippit murder and not at all with the Kennedy assassination is clearly brought out at the tail end of an article in the Dallas Morning News of Nov. 23, 1963 which starts with the headline assertion: PRESIDENT MURDER CHARGED TO OSWALD. The story began:

“Lee H. Oswald, an admitted ‘pro-Castro’ man who once lived in and sought Russian citizenship, late Friday night was charged with murdering President Kennedy.

“Oswald, 24, earlier had been charged with the pistol-slaying of Dallas policeman J. D. Tippit.

“Dist. Atty. Henry Wade accepted the murder charges from Police Chief Jesse Curry and Homicide Detective Captain Will Fritz at 11:26 P.M.
“Justice of the Peace David Johnston, with whom the charges were filed, ordered Oswald held without bond in both cases.

“Curry emphasized that Oswald had made no confession to either murder.

“He and Wade stated jointly that the charges were filed—particularly in the death of the President—based on physical evidence at hand.

“Curry declined to state what physical evidence police had in hand.”

To recapitulate: According to the story, so far, Oswald was first charged with the slaying of Tippit, then “late Friday night,” with the murder of President Kennedy. At 11:26, the police presented the “murder charges” (note plural) to the district attorney, who accepted them. Justice Johnston ordered the defendant held without bond in both cases. Oswald, then, was formally charged with the two murders, that of President Kennedy as well as that of Tippit. The Dallas Morning News continues:

“Shortly after midnight, Curry and Wade held a formal press conference announcing the filing of charges in the President’s murder.

“Oswald later was brought into the crowded police squad room. In response to reporters’ questions, the defendant said he had requested counsel.

“He said the ‘judge gave me a hearing that was very short and sweet.’

“When asked if he killed the President, Oswald replied: ‘I have not been told that I have been charged with the murder of the President.’

“Wade confirmed that the man had not been advised of charges in connection with the President’s slaying. But he had been told of his charges in the death of the patrolman.’ (all italics added)

Here the pseudo-legal trickery of the Dallas prosecuting authorities in the Oswald case is exposed in the raw—by the guilty parties themselves.

First they try to create the impression—with a maximum of publicity—that they have charged Oswald with the assassination and that they have all the evidence to prove it. (Significantly, the New York Times of Nov. 24 ran the 8-column banner headline “Dallas Police Describe the Evidence Against Oswald as Enough to ‘Cinch’ the Case” above the previously mentioned “Affidavit” and other stories relating to the case.) They hold “formal press conferences” at which they “announce the filing of charges in the President’s murder.” They wave in reporters’ faces a patently phony “Affidavit” that has no legal validity whatsoever.
Minutes later, when newsmen question the defendant, who is brought into the press conference room after all this has taken place, and learn that he has not even been told of such charges, Curry and Wade have to back down and concede that all the defendant has been advised of is the Tippit murder charge!

Sunday, the 24th, the Dallas Morning News carried the story of Assistant District Attorney Alexander being irked by Oswald. In the story is the statement: “Alexander said he notified Oswald he had been charged with the murder of police officer J. D. Tippit.” Not a word about charging Oswald with the murder of the President, though one would think that the assassination of the Chief of State is a more important accusation than the slaying of a policeman. The fact that Mr. Alexander chose to concentrate on Tippit has some significance in view of the conflicting stories that Wade and Curry had already put out. One senses a feeling of embarrassment in the District Attorney’s office.

This news story has another significant bit of information regarding Oswald’s reaction to the charge. “Alexander said Oswald told him ‘Don’t tell me about it. Tell my legal representative.’ He asked Oswald to identify his legal representative, but he refused.”

He refused because he didn’t have one although he had been trying to get one. On Friday, Oswald—after having been grilled for hours without any lawyer—told reporters: “I’m waiting for someone to come forward to give me legal assistance.” He also made a desperate attempt to get an attorney. I now quote from a dispatch which Gladwin Hill of the New York Times sent to his paper from Dallas on the night of the assassination. After describing Oswald’s arrest and arraignment, and going at length into the police story, Mr. Hill cabled:

“Oswald’s only utterance directed to outsiders today was an exclamation, as he was led handcuffed through a police headquarters corridor: ‘I want to talk to Mr. . . . in New York.’ The name sounded like Abt or Apt.

“Oswald was permitted to telephone New York to try to reach John J. Abt, a lawyer who has handled left-wing cases. The police said he was unable to reach Mr. Abt, but talked to the lawyer’s wife.

“(Mr. Abt, however, denied that Oswald had talked to his wife. He said, ‘Whoever Oswald talked to it was not Mrs. Abt.’ Mr. Abt said he had never heard of Oswald.)”

Oswald, then, even by police accounts, very definitely made an attempt to obtain legal representation, which was foiled, however, when he was connected with somebody who claimed to be Mrs. Abt, but was not in fact the lawyer’s wife (unless one assumes that the
whole police story is false).

When was the phone call made? Who dialed it? A long-distance call from Dallas to New York would be recorded in several places and it seems to me that this is one of the easiest puzzles for the Warren Commission to solve and get the truth as to whether or not the police hoaxed Oswald in his attempt to get counsel.

This was but one of a series of tricky maneuvers designed to thwart the defendant’s right to fair trial. Late in the evening of Nov. 22 Mr. Greg Olds, president of the Dallas Civil Liberties Union, and three volunteer lawyers went to the city jail in an attempt to see Oswald and advise him of his rights. They were received by Capt. Will Fritz and Justice of the Peace David Johnston, who told them that Oswald had been advised of his right to counsel but that he had declined to request counsel.

This, then, was the official line: Oswald, of his own free will, had declined to make use of the basic weapon for defense which is available to every person accused of a serious crime.

It stands to reason that this version is not true. Why should a man facing the near-certainty of a capital sentence want to deprive himself of his only chance for his day in court?

Gladwin Hill and other reporters heard Oswald, as he was being escorted in handcuffs through a police building corridor, shouting, “I haven’t shot anybody.”

Police Chief Curry himself had conceded that Oswald had not confessed to either charge leveled against him. Assistant prosecutor Alexander has acknowledged the defendant’s “arrogance” and fighting mood. Is a man of this mettle likely to forgo his right to counsel, which alone would give him a fighting chance in court?

Thanks to Mr. Pappas’ testimony we know that Captain Will Fritz and Justice of the Peace Johnston were probably telling less than the full truth when they said that they had informed Oswald of the presence of the ACLU lawyers and that Oswald had declined to see them. For, as we’ve seen, Oswald’s last public words were: “I’d like to see a representative of the American Civil Liberties Union.”

The truth is inescapable: Oswald, a helpless prisoner held practically incommunicado by the police, was deliberately cut off from any outside contacts that could have led to his arrangement for defense counsel. The American Civil Liberties Union made this perfectly clear in a statement issued on Dec. 5, 1963. Recalling the visit made to the city jail by its chief Dallas representative, Mr. Greg Olds, the ACLU commented: “Since the ACLU attorneys had not been retained by either Oswald or his family, they had no right to see the prisoner nor to give him legal advice.”
I may say, in passing, that I am surprised that the ACLU lawyers didn't demand that Oswald say no to them personally. I should think the ACLU has had sufficient experience with police procedures not to take their word at face value.

The ACLU, in its above-cited statement, took the Dallas police officials and prosecutor severely to task for their gross violations of civil liberties in their handling of the Oswald case.

"From the moment of his arrest until his murder two days later," the statement declared, among other things, "Oswald was tried and convicted many times over in the newspapers, on the radio and over television by the public statements of Dallas law enforcement officials.

"Time and again high-ranking police and prosecution officials stated their complete satisfaction that Oswald was the assassin. As their investigation uncovered one piece of evidence after another, the results were broadcast to the public.

"All this evidence was described by the Dallas officials as authentic and incontestable proof that Oswald was the President's assassin.

"The cumulative effect of these public pronouncements was to impress indelibly on the public's mind that Oswald was indeed the slayer." (italics added)

With such publicity, the statement concluded, it would have been impossible for Oswald to get a fair trial in Dallas or anywhere else in the country. But even an unfair trial would have been dangerous to Wade and Curry (to mention no others at the moment) because of what might come out in cross-examination of witnesses, including police officials. So there was no trial.

From the moment of his arrest until his death while in the hands of the police Oswald went without counsel under a crushing presumption of guilt created by headlines. The New York Daily News of Nov. 24 carried a headline typical of many across the country: "Oswald the Man, Dallas Cops Sure." The dispatch from Dallas opened with the words: "Local police declared tonight they have an air-tight case against Lee Harvey Oswald as the assassin of President Kennedy. . . ." District Attorney Wade was even more emphatic, as reported by an AP dispatch from Dallas:

"There's no one but him."

It has become acceptable to lambaste the Dallas police for botchy police work. "The evidence . . .," says Life, "received an incredible bush-league battering around by the Dallas police." But the Dallas authorities have an easy defense by pointing out that the FBI, after months of work, has vindicated their judgment and reached the same conclusion. While the report of the FBI is still confidential, a series
of leaks by that agency has had the effect of again trying and conviction Oswald, now dead and unable to defend himself. On Dec. 3 the New York *Journal American* ran the headline: Oswald Lone Killer. FBI Report to Prove It. The story quoted anonymous government sources, but all newspaper people knew the FBI was the source. On Dec. 9 the report was given to the Warren Commission, which asked that nothing be made public until the report had been reviewed by the commission. Nonetheless, the next morning the *New York Times* had a substantial story on the report, headlined: Oswald Assassin Beyond a Doubt, FBI Concludes. He Acted Alone and Did Not Know Ruby, Says Report To Warren Inquiry Panel.

As Sauvage has put it: “Thus, after the ‘press and television conviction’ of Lee Oswald in Texas, a second press and television conviction took place in Washington. And just as the Dallas authorities had forced the hand of any jury that would have heard the Oswald case, so the FBI has forced the hand of the Warren Commission. With the help of all the mass media, Oswald’s guilt has now twice been sold to the public.”

Will the Warren Commission make the third sale? For *Time* magazine, the question doesn’t even exist. In the Feb. 14 issue, the magazine states: “There is no lingering doubt about what the commission’s main finding will be:

“Lee Harvey Oswald killed Kennedy and wounded Texas’ Governor John Connally, and he carried out the assassination without an accomplice.

“There was no dark conspiracy. Oswald was neither a Soviet nor a Cuban agent. There was no plot instigated by right-wingers (as the radical left has claimed) or by left-wingers (as the radical right insists). Similarly, Oswald’s own assassination was the work of just one man—Jack Ruby—and it was not (as Moscow intimated at the time) staged with the connivance of the Dallas police.”

A story in the New York *World Telegram* of April 27, 1964, states that the FBI turned over to the commission on Dec. 9 a “two-volume summary of its investigation plus three volumes of exhibits. Since then the FBI has supplied the commission with more than 250 investigative reports numbering more than 10,000 pages.” All this, says the paper, to bear out the FBI conclusion that “Oswald was a demented ‘lone wolf.’”

“If the Warren Commission comes to a different conclusion,” says the *Telegram*, “its report will be surprising and sensational.”

Indeed it will.

The FBI verdict that Oswald, and Oswald alone, was the assassin exonerates their “alumnus” Henry Wade, who can be reproached
only for an excess of zeal typical of a prosecutor, a kind of professional bias. It has led a French newspaper to make the just, if caustic, remark about the FBI conclusion: "At least that proves that the Dallas police is the world's cleverest police force, after all."

Before Oswald died he was to realize that his initial confidence in American justice was unfounded, at least in Dallas. He made a remark, complacently repeated by Mr. Alexander, which sheds much light on Oswald's thought. The *Morning News* story on Alexander which we have quoted says: "Later, Alexander continued, Oswald snapped: 'The way you're treating me, I might as well be in Russia.'"

This anguished exclamation of a trapped man goes a long way to prove a point which will be demonstrated in depth in Part II of this book: that Oswald never was a genuine Communist who looked upon Soviet Russia as the Fatherland of the Oppressed. It also shows that he was imbued with naive faith that "It Can't Happen Here," that police brutality and highhanded, arbitrary treatment of prisoners are exclusive prerogatives of the "unfree world."

According to the Dallas *Morning News*, "Alexander related that Justice of the Peace David Johnston, who accepted the murder complaint, advised Oswald of his legal rights and emphasized he was not required to make a statement."

"'He kept interrupting to say that he was insisting on his constitutional rights,' Alexander said. 'He claimed we were mistreating him, but I've never seen a murder suspect handled more considerately. He dished out a lot of verbal abuse, but I didn't see anything to indicate anyone had abused him.'"

Nothing? Not the black eye, or the bruised cheek, or the swollen lips?

Is it not abuse of the vilest kind to put a man on display like a chained wild beast in a circus? Or to make him the sport of a TV audience, when he wasn't even legally charged with the murder of the President? Or, most heinous, to deprive him of a lawyer?

Oswald said he didn't kill anybody. To the end, he proclaimed his innocence. As eye-witnesses have testified, he was at the start a remarkably unworried man. Let us now look at his behavior and, as counterpoint to his possible innocence, examine further incongruities in the police case against him, including the fact that the Dallas police *had other suspects* beside Oswald—suspects who have now vanished but whom the Warren Commission may still recover.
Before we turn to the major evidence in the Oswald case, the rifle, the bullets, and the Tippit murder, there are several incongruities which the Warren Commission might fruitfully explore, such as Oswald's attitude, the timing and nature of the police pick-up calls, and other arrests of suspects made by the police.

In all the history of political crime, no assassin of a prominent statesman ever behaved the way Lee H. Oswald did after he supposedly had shot President Kennedy. In fact, every one of his actions after the alleged deed bespeaks his innocence.

To begin with, if Oswald really had been the assassin and had used his own rifle to kill the President, wouldn't he at least have taken elementary precautions to hide or obliterate the most telltale traces of his crime?

As a stockroom clerk and order filler, Oswald, mind you, had the run of the entire labyrinthine building. It would have been easy for him had he really been alone up there on the sixth floor, as the police have charged, to hide the murder weapon effectively, at least for a while, or even to make it disappear completely.

Instead, the rifle was discovered almost instantly after police had invaded the sixth floor storeroom. There is some difference of opinion as to the floor where the rifle was found (Four Days, and Time magazine say the fifth floor, Wade and the New York Times have said the sixth floor) but all versions agree that it was found lying behind some packaging cases near a stairwell (which was probably used by the sniper as an escape route), so poorly concealed—or perhaps so conspicuously exposed—that both ends were showing between rows of textbooks.

What is more, three empty shells—corresponding to the exact number of shots that are supposed to have been fired from the Book Depository—were found lying on the floor near the window. It would have been easy for Oswald, had he really been the assassin, to dispose of these shells. Why toss them on the floor, close to the box with his palm print and his “hallmark,” the empty Coke bottle?

A fourth, unspent cartridge is supposed to have been found in the firing chamber of the rifle. This belated discovery was "revealed" in
the Dallas Morning News of Dec. 10, 1963, which quoted these comments by “an investigator”:

“There was a live round in the firing chambers when officers picked up the rifle. . . . We don’t know what was in Oswald’s mind. We can only speculate on his reason for working the bolt and putting a fourth bullet in the firing chamber. It’s possible he intended to shoot again at President Kennedy or the Governor . . . or maybe at Jacqueline Kennedy . . . but found the car out of range. . . .”

Note this abominable insinuation “or maybe at Jacqueline Kennedy.” Oswald had been dead almost three weeks when this gratuitous charge was tossed into his grave by that unnamed Dallas police official. They weren’t content with framing, and then murdering, a demonstrably innocent man. They had to Lynch him all over again, in the press, to make quite sure that the public would keep hating the dead monster, this would-be killer of beloved Jackie Kennedy.

“Or it may be that Oswald intended to use his rifle to shoot his way out of the building if the need arose, although I doubt it,” the “investigator” went on to say.

Even though mitigated by “doubt,” this suggestion is absurd. For the next thing we hear about Oswald, he is found in the cafeteria of the Book Depository, on the second floor of the building, peacefully sipping his favorite drink, a Coke. Are we to believe, then, that “if the need arose” he would have rushed back up to the sixth—or fifth—floor to retrieve his gun from behind the cartons and then “shoot his way out of the building”?

The remarkable fact—uncontested by the police—that Oswald, shortly after the assassination of President Kennedy, was found standing in a corner of the cafeteria, a soft-drink bottle in hand, goes a long way all by itself to prove his innocence. Who ever heard of the killer of a prominent leader behaving like that? After firing three shots from his high perch—and showing himself at the window sticking out his gun—he rushes down four floors to the cafeteria of the building to sip a drink, while outside pandemonium breaks loose and police cars with screaming sirens converge from all sides!

It is a sad commentary, indeed, on the almost unbelievable gullibility of the public that people all over the world have swallowed such a story. The only explanation that was ever offered by official quarters was that Oswald was not a rational person and therefore did irrational things.

This is a poor excuse. One need not be an expert in psychology to say that it explains nothing. In the first place, Oswald, as even a perfunctory study of his character and life shows, was a very cool customer, not overly intelligent perhaps but quite rational. It might
have been in character for him to kill a President and proudly flaunt his deed in the face of the world in order to acquire a sort of herostratic fame; but it was certainly not in character for him to kill, then jeopardize the chances of a safe getaway by giving first priority to the important business of quenching his thirst; then, after being caught, deny all guilt to the bitter end. It just doesn't make sense!

Why did Oswald happen to be in the cafeteria when a motorcycle policeman, first of a large group to follow, stormed into the Book Depository at about 12:33?

Very simple: It was the time of the daily lunch break, lasting from 12:00 to 12:45. Oswald not only had a right, but a good reason as well, to be there at that time. True, almost everybody else, of the approximately 90 persons who work in the building, was out front at the time to watch the parade, but it was by no means unusual for Oswald to keep to himself during the 45-minute lunch break or the short smoke breaks. This has been attested by his boss, Roy S. Truly, superintendent of the Book Depository, the man who had hired Oswald and who kept an eye on him.

Mr. Truly has also had some remarkable things to say about Oswald's behavior on that fateful Nov. 22. In the first place, the superintendent has given the lie, flatly, to the assertion put forward by Police Chief Jesse E. Curry on Nov. 23 that a fellow worker had recalled having taken Oswald to the top floor of the building before the motorcade passed by. Oswald, Mr. Truly pointed out, had been working all morning on the two top floors.

When the shooting occurred, Mr. Truly was standing in front of the Book Depository. He was still numb with shock when the above-mentioned motorcycle cop came rushing up. Truly followed the excited policeman, who stormed up the first flight of stairs, revolver in hand.

As they reached the second floor, the policeman’s suspicion was accused by a noise coming from the half-open door of the cafeteria. He rushed in to investigate, with Truly hard on his heels. Now, in the superintendent's own words (Dallas Morning News, Nov. 24, 1963), "The policeman threw a gun into Oswald's stomach and asked me if Oswald belonged there. I told him 'yes' and we both went on up the stairs for a check of the other floors.

"Oswald looked a bit startled—just as you or I would if someone suddenly threw a gun on you—but he didn’t appear too nervous or panicky."

Needless to say, that revealing statement by Oswald’s employer was not broadcast to the world by the public relations department
of the Dallas police. Nor did the police propagandists publicize another remark by Truly, who had seen Oswald in the building prior to the shooting and had noticed “no indication of nervousness” about him. All this just didn’t fit their case.

This first encounter between the police and Oswald begins a baffling hodgepodge of statements concerning the police pick-up call radioed to all police receiving points. This all-points call, as it is known, is baffling for several reasons, one of which is that it went out so early. *Time* of Nov. 29, 1963, gives it as 12:36. This, incidentally, contradicts *Time*’s estimate of 12:40 as the time Oswald left the Depository building, and strengthens *Life*’s estimate of 12:35, which has been generally accepted.

The problem with this time, 12:36, is that it doesn’t relate causally to the official reason given for suspecting Oswald. Wade, in his famous interview, stated: “A police officer, immediately after the assassination, ran in the building and saw this man in a corner and tried to arrest him, but the manager of the building said he was an employee and it was all right. Every other employee was located but this defendant [sic] of the company. A description and name of him went out by police to look for him.”

If we make the usual allowances for his syntax, Wade would have us believe that a check was made of all employees and that Oswald was the only one missing. This interpretation is bolstered by a feature story in the Toledo *Blade* of Nov. 29, 1963. Two experienced reporters, M. W. Newman and Henry Hanson, who had been in Dallas since the tragic event of Friday, pieced together all they had been able to find out about the case. They write:

“Oswald . . . became important to the police only after he missed an employees’ roll call soon afterward. ‘He was the only one who didn’t show up and couldn’t be accounted for,’ said Detective Captain Pat Ganaway. ‘Police radios immediately sent out a frantic call to find Lee Oswald. . . .’” (italics added)

It is on the face of it clearly impossible for them to have had a roll call of 90 employees in the two or three minutes that had elapsed since the motorcycle policeman confronted Oswald. Aside from the time needed to organize such a roll call, the circumstance of people going in and out and milling around which M. Sauvage has described so vividly would make such a task hopeless in any brief period of time. Furthermore the all-points pick-up call did not give Oswald’s name, as Wade explicitly, and the *Blade* implicitly, stated. Equally significant is the vagueness of the pick-up call if Oswald is the man described. The afternoon edition of the Dallas *Times Herald*, on the streets within two hours of Kennedy’s assassination,
proclaims on its front page: “Police issued a pick-up order for an unknown white male, about 30, slender, 5-10, 165 pounds, armed with a 0.30 caliber rifle.” (italics added)

The Blade story says the call went out to find “Lee Oswald—about 24, 5 feet 8, 150 pounds, pallid, dark-haired.”

It looks, then, as if there were two pick-up calls: one at 12:36 which was vague, without a name, and mentioned a rifle; the other sometime later which was specific, mentioned Oswald, described him accurately and did not mention a rifle . . . presumably because the rifle had been discovered on the sixth floor. Striking confirmation of this suggestion was to be found in the Dallas Morning News the next morning, Saturday the 23rd. There we read of the encounter between Oswald, the policeman, and manager Truly and then the story goes on: “The policeman and Truly continued their search. Oswald later failed to report for a 1:15 P.M. roll call of employees. Truly reported this to police.” (italics added)

This account jibes with the Blade story and Captain Ganaway’s statement, and it is reasonable to assume that there were two pick-up calls: one at 12:36 and one around 1:15 - 1:20. The later one was based on a roll call; the earlier one on the existence of other suspects!

The existence, from the beginning, of suspects other than Oswald is something of which most Americans are unaware. The other suspects were mentioned in early news stories and then dropped completely, even though the police kept at least one of them in custody for weeks afterward. It is a rather fantastic facet of the Oswald case and it vividly illuminates the ambivalence of the American press. On one hand alert, hard-working, honest reporters dug out all kind of facts in the finest tradition of their profession; on the other the news desks tamely accepted at face value the official interpretations, first of the Dallas authorities and then the FBI. This subservience to the Establishment becomes complicity in such publications as Time and Life, as we shall shortly prove. But the honesty and hard work of American reporters cannot be too highly praised. Without them this book could not have been done. In a true sense, they have exposed the cover-up.

A case in point is the Dallas Times Herald of Dec. 8, 1963. Toward the end of an otherwise uninteresting routine news story about Ruby, that paper reported: “It was also learned Saturday that an early suspect in the assassination of President Kennedy was still in jail—but no longer as a suspect in the killing. The man, a 31-year-old man who gave a Knight Street address, was arrested minutes after the assassination when officers swarmed railroad yards near the assassination scene. A man was reported seen in that area carrying a rifle. . . .”

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When I first read this—I was still in Dallas at the time—I rubbed my eyes to make sure I wasn’t dreaming: “... an early suspect ... still in jail ... arrested minutes after the assassination”!

No mistake. There it was, black on white, in the local afternoon paper. The story continued:

“The suspect was unarmed when arrested but booked, along with others arrested in the hectic hours following the assassination, on charges of ‘investigation of conspiracy to commit murder.’ The investigative charges were dropped Monday morning but the man was held in jail on ‘city charges.’”

Who was this mystery prisoner in the Dallas city jail and why had he been arrested minutes after Kennedy’s assassination? I knew I’d never get this information from official sources, for by that time a severe news blackout had been clamped on the entire city (except for the regular output of fancy stories about Oswald, still going strong).

But maybe I’d have some luck by scanning the earlier editions of the same paper? I did—and found the story I was looking for in the first edition of the Dallas Times Herald to hit the street after the assassination. Buried as it is amidst a mass of other details concerning the shooting and the confusion that followed, it is a remarkably precise and revealing story:

“Patrolman W. E. Barker saw workers in the Texas School Book Depository pecking on a window from the third floor and pointing to a man wearing horn-rimmed glasses, a plaid coat and rain coat. The officer immediately arrested the man for questioning and placed him in a room of witnesses in Sheriff Bill Decker’s office across the street from the Depository.

“With the young man protesting, the crowd all along the way jeered at him as he was escorted across the street. One woman said to the man: ‘I hope you die.’ Another screamed hysterically, ‘Is that him? Is that him?’ An unidentified photographer shot a picture of the arrested man and then said bitterly, ‘I hope you burn.’ Officers on the case would not explain what connection the man might have with the shooting nor would they identify him.”

So here we have a young man who was identified by eye-witnesses as a possible killer and who was arrested on the spot, while Oswald was still at large—and that same person was still in jail three weeks later! Furthermore, the “investigative charges,” i.e., those filed against him on the day of the assassination for “conspiracy to commit murder,” were not dropped until Monday, Dec. 2—ten days after Oswald had been “convicted” by the police of being the one and only killer of President Kennedy! Such are the strange ways of Dallas justice.
And what became of the “others arrested in the hectic hours following the assassination”? Why hasn’t one heard any more about any of them? Why was not a single lead followed up except Oswald’s trail?

The Times Herald also gave this account in its front-page story of Nov. 22: “Sheriff Bill Decker reported his investigators had picked up two eye-witnesses to the shooting who had seen a man with a rifle. ‘I couldn’t question them here on the street. They claim they can identify the person with the rifle if they see him,’ the sheriff said. . . .”

Here’s the reason why the first pick-up call mentioned a rifle. Someone mentioned seeing a man leaving the building (Time, Nov. 29: “A Negro boy gave police a description of a man who had been seen leaving the building”), someone else mentioned seeing a man with a rifle, and there you have the ingredients of the first pick-up call. The second we have discussed. The contradiction between these two calls has, to my knowledge, not been spotted so far and constitutes a most important point in dealing with the murder of Patrolman Tippit.

Why weren’t these eye-witnesses confronted with Oswald? The answer is the same as before: because the police knew well that these eye-witnesses couldn’t possibly have identified Oswald as the man they had seen with the rifle. He wasn’t carrying one when he left the Book Depository.

But there was a man with a rifle and he was seized “when officers swarmed railroad yards near the assassination scene”; a man, then, who was on or close to the triple underpass whence, as we shall see, the fatal bullets may have been fired. Was this the young man with the plaid coat and horn-rimmed glasses? Or a third suspect? These are the unresolved puzzles which, it is hoped, the Warren Commission will clarify when it interrogates the Dallas police.
There is one piece of evidence in the Oswald case which is either the most fantastic coincidence in the history of crime or proof positive that Oswald was to be framed for the murder of President Kennedy. This evidence is a repair ticket, or receipt, with the name Oswald on it, which a gunsmith in Irving, Mr. Dial D. Ryder, found in his records. The story was published by the New York Times, Nov. 29, 1963, under a four-column headline: GUNSMITH ATTACHED SIGHT FOR MAN NAMED OSWALD.

The dispatch, filed from Dallas by John Herbers, began with these words:

"A gunsmith from Irving, Tex., said today he mounted a telescopic sight on a gun for a man named Oswald a month ago.

"The gunsmith, Dial D. Ryder, said he could not remember what the gun looked like, nor could he remember the customer.

"Mr. Ryder found a receipt showing that he had mounted and adjusted a sight on a gun for a customer named Oswald. There was no date on the receipt, he said, but the work was done about a month ago. The customer paid 4.50 dollars for drilling and 1.50 for bore-sighting the weapon . . ."

The Dallas officials who gave the news to the reporter played it up since it tied in with two other items of information. One was that Oswald had bought a rifle by mail in March, 1963 (under a cover name of A. Hidell), from a Chicago firm, Klein's Sporting Goods Inc. The second was a major piece of evidence in their possession which seemed to "cinch" their case. The verb is Captain Fritz's, who announced the evidence—a photograph of Oswald holding a rifle equipped with a telescopic sight—and stressed its importance. The New York Daily News of Nov. 24, 1963, reports the story:

"Local police declared tonight they have an airtight case against Lee Harvey Oswald as the assassin of President Kennedy, including photographs of him holding the rifle which killed the President."

"Homicide Chief Capt. Will Fritz said:

"Without going into the evidence, I can tell you this: This case is cinched. This man killed President Kennedy. (italics added)
"'Yes, we have a picture of him with the rifle and with the pistol. We are convinced without any doubt he did the killing. There were no accomplices...'

This photograph did exist and was to have a bizarre publication history. It finally appeared as a *Life* cover, Feb. 21, 1964. It shows Oswald holding a rifle equipped with a telescopic sight. A pistol is in a holster at his hip.

Within a few hours the Dallas police were backtracking and wishing they had never mentioned the photograph. In fact, they were telling reporters to forget it. For an Italian reporter, Augusto Marcelli of the illustrated magazine *L'Europeo*, interviewed Mr. Milton P. Klein, president of the Chicago firm that had sold the rifle. Mr. Klein affirmed that the rifle was sold *already equipped* with a telescopic sight and that he had so informed the FBI, who, said he, had seemed to pay no attention.

When the Dallas police realized the problem they had created, they tried to find an explanation. According to Sauvage, they told some journalists that Oswald may have owned a second rifle, but this was dropped. They then simply said it was a "misunderstanding" which the reporters should forget. Mr. Ryder was never mentioned again. But M. Sauvage was not satisfied, called the gunsmith, and reports (*Commentary*, April, 1964) his conversation as follows:

"I called him and asked what exactly was the 'mistake' or 'misunderstanding' that had led Dallas officials to dismiss his story. 'Well,' he said, 'you know that the gun Oswald received from Chicago already had a telescopic sight. So it couldn't be the murder gun he brought to me. It must've been another gun, or it was some other Oswald.' But was he sure of the name on the repair ticket? Had he perhaps misread it? 'No, no, the ticket is still here. It's Oswald. No first name or middle initial, but Oswald. Just Oswald.'" (italics added)

M. Sauvage had checked, of course, because he immediately recognized the significance of the repair ticket, "the startling possibility," as he put it, "that clues leading to Lee Harvey Oswald were planted well in advance of the assassination." To me, the ticket offers more than a possibility, it offers a probability of such a high order as to be virtually a certainty. For the mathematical odds against its being a mere coincidence are enormous.

Irving, of course, is the town twelve miles from Dallas where Mrs. Paine lived and in whose home Oswald's family was staying. I don't know how many gunsmiths there are in the United States, but the number must run into the thousands, and their types of repairs into the hundreds. The name Oswald itself is not a common name like Smith, so that the chances of the combination of an *Irving* gunsmith mounting a *telescopic* sight for a customer named *Oswald*..."
would be a coincidence in the order of one chance in many billions. It is a virtual certainty that this repair job, four weeks before the assassination, was specifically designed to implicate Oswald. Such premeditation bespeaks a careful and elaborate plan.

Perhaps no other piece of evidence than this ticket requires more thorough investigation by the Warren Commission; more vigorous efforts to ascertain both who was the customer of the Irving gunsmith, and to locate the fitted rifle (the gunsmith can surely identify his own work). If the customer's name was a coincidence, a massive appeal by the Warren Commission via newspapers, magazines, radio and television (say one thousandth part of the time spent on Oswald) should bring the citizen forward and allay this particular suspicion. Otherwise the repair ticket must remain what I, and many others here and abroad, consider it to be: mute testimony to a conspiracy.

The photograph which misled the Dallas police into giving such embarrassing prominence to the Irving gunsmith became, at the time, the biggest propaganda item against Oswald, reprinted not only on the cover of Life, but in magazines and newspapers throughout the land. Life called it "the most damning evidence of all. It was a snapshot of Oswald showing him holding a rifle that apparently was identical with the one that killed the President." (italics added) The underlined reservation is a rather curious one for Life to be printing in February when both the FBI and the Dallas police were vouching for the rifle as the murder weapon.

Perhaps the Life writer was expressing subconscious misgivings, for the vicissitudes of the murder weapon reflect little credit on the procedures of the Dallas police or the acumen of District Attorney Wade. As we have seen, the weapon was found hastily hidden on the sixth floor, and three ejected shells were found near the window. The rifle was shown to reporters and television audiences repeatedly, held aloft by a Dallas law enforcement individual with his bare hands on the rifle before it was sent out to the FBI laboratories to be scientifically examined for fingerprints (none were found), palm prints (Wade said there was one, the FBI found none), marks and other traces of use. Later as a widely published photograph showed, it was carried outdoors by Dallas detective who held it by its strap without any protective covering whatever. The picture shows the rifle rubbing the man's trousers.

This rifle, the murder weapon according to the FBI and the Dallas police, was in the hands of Wade and his staff for hours. So were the ejected shells. One assumes that they made a careful examination of both and that they were scrutinized by experts. Wade himself is knowledgeable about rifles, and he stated flatly, without equivocation or hesitation, that "the murder weapon was a German Mauser." A
photograph of the rifle held aloft, circulated by United Press International and reproduced in the documentary section of this book, has a caption identifying its caliber as 7.5 millimeters.

The following day it was reported that the FBI files showed that Oswald had bought an Italian carbine by mail, sent to a post-office box maintained by Oswald under his own name, as well as under the name of A. Hidell. What then happened is analyzed by Mr. Lane: “Armed with the knowledge that Oswald could be connected with an Italian carbine (it not then being known that the Italian rifle in question might not be able to fire three shots in five seconds), Wade made a new announcement: The murder weapon was not a German Mauser, it was an Italian carbine. This prosecution reversal established a high point in vulnerability for the trial—the trial that was never to take place.”

The new identification, bolstered by the photograph, simplified the television “trial” but, as Mr. Lane points out, raised serious problems for any courtroom trial. The problems have not disappeared with Oswald’s death. The Italian carbine sold to Oswald was a Carcano bolt-action rifle, its caliber was 6.5 millimeters. This is a substantial difference in calibers for anyone familiar with rifles.

The price of the rifle creates a problem. As can be seen in the ad reproduced in the documentary section, item C20-750 (carbine and scope) was $19.95, and Mr. Klein said this is what Oswald paid. But the rifle requires ammunition, an “odd caliber” as Wade said, and this is item E20-751—108 rounds plus a free 6-shot clip for $7.50. No record of this purchase, if any exists, has been mentioned. Mr. Klein told Lane that he had not sold any ammunition to Oswald. Nor, as M. Sauvage points out, has there ever been any announcement of the discovery, if any, of a single 6.5-mm cartridge on Oswald’s person, or in his rooming house lodging or in Irving, despite intensive searches. This is a curious lacuna if Oswald was the assassin.

But more than curious is a crucial problem about the Carcano ammunition—its, so to speak, vintage. This problem was posed by Walter Winchell. He writes in the Journal American of Dec. 6 1963: “A former U.S. Secret Serviceman on the White House detail makes an interesting point: That the ammunition for the Italian-made rifle (presumably used by Lee Oswald to kill President) has not been manufactured since end of World War II. It is difficult to hit your target says M. Lipson (now Investigations Commissioner in Nassau County) when you are using stale ammunition . . . ”

And how stale! The 6.5-mm Italian ammunition which Oswald would have had to use in firing that rifle would have to have been at least 20 years old!

The relevancy of stale ammunition is also stressed in a remark-
ably enlightening article by Ed Wallace in the New York World-Telegram and Sun of Dec. 4, 1963, where he writes:

“But perhaps most fateful of all, target shooters and collectors of firearms believe, was the chance which placed three consecutive live rounds in the rifle chamber.

“There are great quantities of bad ammunition in the surplus supplies of this particular type and caliber.

“Most of the war surplus ammunition for this rifle was made around 1935, with some dated as early as 1918 [!]

“It has been long stored, moved and removed, sold and resold, and subjected to various conditions of deterioration.

“The owner of a 6.5-mm rifle, a duplicate of the assassin’s weapon, told this newspaper that he went to a range outside the city to fire 20 rounds of surplus ammunition. “Seventeen of the 20 rounds failed to fire.”

And Oswald is supposed to have made three bull’s-eye hits in five and a half seconds with that kind of ammunition!

If the ammunition was unreliable, the rifle itself was no less so. It was a war surplus weapon and there is on record expert testimony before a Senate Committee on these weapons. A Senate subcommittee presided over by Senator Dodd of Connecticut had been conducting an investigation into mail-order gun crime when the tragedy in Dallas occurred. In an interview with Josephine Ripley, Washington Staff correspondent of the Christian Science Monitor (Nov. 14, 1963), Senator Dodd pointed out that his subcommittee had been concerned not so much with the products of the American gun industry as with “cheap foreign imports, which are the ones finding their way into the mail-order gun trade.” Now, read the following, carefully:

“These imported weapons are poorly designed and engineered, Senator Dodd’s subcommittee was informed by experts. The military surplus items which are purchased in Europe and sold here as ‘scrap’ have been reworked to the point where they are even dangerous to discharge.” (italics added)

So there you have it, candidly and bluntly, on the very best authority. That Carcano rifle Oswald owned, far from being a Stradivarius of the gun trade, was in fact, poorly designed and engineered, reworked, and possibly dangerous to discharge.

Going back now to Ed Wallace of the New York World-Telegram and Sun, this is how he feels about it: “Plans of a sane person to kill two people in a moving automobile would have ruled out a bolt-action weapon altogether, and especially an inferior rifle of the type used. Three shots could have been fired in five seconds with the war surplus weapon the assassin used, a 6.5-mm Carcano, but combining this with such murderous accuracy was a stroke of fate.”
Mr. Wallace's assumption that the Carcano was capable of firing three shots in five seconds is highly questionable. It has been challenged by Olympic rifle champion Hubert Hammerer in Vienna, who said he doubted it could be done. On Nov. 27 the *New York Times* reported that a firearms expert of the National Rifle Association in Washington using a comparable weapon, a Model 1938 6.5-mm bolt-action rifle, had been able to place three shots in 11 seconds in a bull's-eye 50 feet away. On a second try, with equal accuracy, he got off three shots in eight seconds. *Life* reports that Clayton E. Whyte Jr., director of the National Rifle Association, "fired an identical make rifle with an identical sight against a moving target over similar ranges for *Life* last week. He got three hits in 6.2 seconds."

*Life* doesn't say anything about the accuracy of the three hits. Nor does *Life* say whether Mr. Whyte used a "charger" which could be fitted into the rifle to load semi-automatically. From a police investigator quoted in the Dallas *Morning News* (Dec. 10) we can infer that the murder weapon had no clip: "There was a live round in the firing chambers... We can only speculate on his [Oswald's] reason for working the bolt and putting a fourth bullet in the firing chamber." (italics added)

*Life* sets the elapsed time of the three shots at 6.8 seconds while John Herbers, writing in the *New York Times* about the evidence of a movie sequence of the assassination taken by an amateur, sets the time at five seconds. The FBI is reported in the *New York Times* of Dec. 3 to have set the elapsed time between the first and third shots at 5 and one half seconds, which is the time we have taken throughout.

Further, there is quite a difference between an expert like Mr. Whyte and Oswald. The marksmanship of the murderer amazed experts. The *New York Times*, Nov. 25, reported that "a group of the nation's most knowledgeable gun experts, meeting in Maryland at the time of the shooting, agreed that considering the gun, the distance, the angle and the movement of the President's car, the assassin was either an exceptional marksman or fantastically lucky in placing his shots."

Ed Wallace spells out how rare was the sniper's accomplishment:

"Detectives and policeman have emptied their guns at assailants, at fist-fighting range, and all shots missed.

"Hunters carrying the finest telescope-sighted rifles miss broadside shots at standing deer within a range accessible to a rock.

"The shots which killed the President and wounded the Governor of Texas, were fired from a range of 75 to 100 yards. There were six people in the open automobile, into which three shots were fired at chosen, moving targets.
"Only the two people an assassin would want to kill were hit—and in vital parts of their bodies.

"Slightest variations in sighting, the precise instant of trigger pull, movements of the rifle and movements of the intended victims, conditions of sunlight and shadow, uniformity of ammunition used—these and countless other conditions and variables could have changed the deadly moment to produce misses, or minor wounds."

Considering the extraordinary skill required, for we have been told that hunters with the finest telescopic rifles miss broadside shots at standing deer within rock-throwing range, it would have required that Oswald be a marksman of the first order, equipped with a first-class rifle, who had constantly practiced with this rifle. Otherwise, he could not possibly have accomplished what he is alleged to have done: pick off the two important political figures in that car with three successive shots of deadly accuracy, without so much as touching a hair of the women, or wounding the near-by Secret Service men, or the surrounding motorcycle cops. What, in fact, are the realities of the situation?

"Oswald, since the age of 13, had been a mentally disturbed person," Ed Wallace goes on to say. "He had been growing progressively more explosive and less stable. Accuracy with a rifle and pistol depends almost entirely upon an individual's ability to overpower and control his nervous system."

"The supposed assassin was deadly with both rifle and pistol," according to Wallace, although experienced hunters facing important quarry often find themselves "with a trembling strength-draining nervous seizure called 'buck fever' which makes them fire wildly, or actually leaves them unable to pull the trigger."

Wallace then poses and answers the question: "Did the assassin's psychotic condition give him a nerveless coordination for five terrible seconds? He attained sharpshooter rating in the military, but with an entirely different type of weapon and sights, and accuracy with firearms is a facility that requires continued practice. These is no evidence that Oswald ever fired the murder weapon before the fateful moment, or that the cheap telescope sight had been sighted in this particular weapon."

As any military man knows, a Marine "sharpshooter rating" is by no means a mark of high excellence. Oswald had barely qualified in the sharpshooter class, the middle of three classifications in marksmanship. His best shooting performance, after three years of intensive training, was rated at 212 points, *i.e.*, close to the bottom of the sharpshooter class (210 to 230 points). He would have needed between 230 and 250 points to make the "expert" class; he never did.

Not only was he not an expert shot, but what skill he had was
four years fallow. For three years—while he was in Russia—Oswald could not have had any rifle practice at all. To be sure, one of the dope stories put out by the fabricators of the Oswald Myth had it that Oswald, while in the Soviet Union, had “reportedly” joined a rifle club.

The falsehood of that allegation must be immediately apparent to anyone not totally ignorant of Soviet affairs. “Rifle clubs” in the USSR are, like all other organizations, closely controlled by the Communist Party; no outsiders need apply. Oswald not only never was a Communist Party member, he could not even qualify as a “fellow traveler.” As we shall see in Part II, the Soviet Union considered him a highly suspicious character and would hardly have allowed him to join a rifle club.

Thus it is obvious that Oswald who “as marines go . . . was not highly regarded as a rifleman” (*New York Times*, Nov. 23), would have required a great deal of practice to familiarize himself with the gun, a fact stressed by the expert of the National Rifle Association, who, as reported in the *Times* article, stated that a man had to be “well-practiced” in the use of his weapon to achieve the extraordinary proficiency shown by the assassin.

Because this factor of skill was generally overlooked at the beginning, there was originally no mention of Oswald’s having practiced with the rifle. Ed Wallace, in fact, makes the opposite point: “Gun devotees cannot agree that marksmanship was the fatal ingredient in the chemistry of Lee Harvey Oswald. He used a strange gun; *there is no evidence he had done any practicing*; he was an unstable figure on a mission that would shake the nerves—and the trigger finger—of a much cooler man.” (italics added)

When it became apparent that the assassin had to be a skilled and practiced marksman, “new evidence” began to appear. Floyd Davis, owner of the Sportsdrome Gun Range near Grand Prairie (a suburb of Dallas), was quoted in an AP dispatch dated Dec. 7, 1963, as saying that three people had told him that they had seen Oswald on that range, though he conceded that neither he himself, nor his wife, Virginia, had ever set eyes on Oswald. The question immediately arises: did Mr. Davis have a manager, or someone in charge, who did see Oswald? If not, how is it possible that neither he nor his wife ever noticed the stranger who assiduously practiced on their gun range? Could anyone walk in and out? Wasn’t there a charge for services rendered?

The FBI was impressed, nevertheless, and sent two men to pick up a boxful of expended cartridges from the grounds and cart them off to the FBI laboratory in Washington. One expects to see something about this in their report.

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Reading the exclusive story entitled “At Gun Range—Oswald Practicing Told,” which appeared in the Dallas Morning News on Dec. 9, much about the story seems peculiar. The opening paragraph states:

“Two gun enthusiasts told the Dallas News Sunday night they were certain that Lee Harvey Oswald was the arrogant, sullen rifleman who practiced at the Sportsdrome Gun Range near Grand Prairie on several occasions before the assassination of President Kennedy Nov. 22. Both said, ‘Other people were with him.’”

If other people were with him, then perhaps more than one person was involved. If Oswald carried out the assassination alone, then the story makes little sense. All accounts of Oswald’s life have emphasized that he was a “loner.” We are asked to believe that this aloof man, planning to assassinate the President of the United States, would go to a public range for target practice and—bring some people along.

If Oswald did it alone, these people have nothing to fear in so far as the assassination is concerned. Let the Warren Commission broadcast an appeal that they come forward, guaranteeing them secrecy as to their identity and why they were with Oswald. So far, none of these eyewitnesses has been found. This suggests the startling possibility that someone who resembled Oswald may have been at the range—another clue such as that of the repair ticket. The implications of this idea will be discussed in Part II.

Meanwhile I find it hard to give the story any credence for one simple flaw revealed in the statement of one of the two gun enthusiasts, Howard Price, who said “that on one night—either November 9 or November 10—Oswald drove in alone in a battered old car, black, probably a Ford or a Chevrolet…” (italics added)

Now, Oswald not only did not own a car, he couldn’t even drive! Mrs. Paine has stated that in early November she tried to teach Oswald to drive her car but that he couldn’t even learn to park it. Howard Price is a 34-year-old machinist of 1127 Rice Street, Grand Prairie, who was not employed by the Sportsdrome “but just helped out once in a while.” He was positive in his identification: “There’s no doubt it was Oswald,” he told the Morning News and even had a chat with Oswald. Says the News:

“‘He [Oswald] asked me if he could shoot,’ Price said. ‘I was ready to leave—it was about 7 P.M.—but I said all right and went on down to the shooting bench with him. He asked me to help him sight the scope!’” (italics added)

This is supposed to have happened at about 7 P.M. on Nov. 9 or 10, which is a Saturday or a Sunday evening and Oswald usually spent his week-ends at home. He would certainly have had difficulty
leaving unobserved, carrying a rifle, to say nothing of driving there when he didn’t know how. Yet Price says he recognized Oswald. It follows that someone was there who looked something like Oswald, and who went to some trouble to call attention to himself, his equipment and his doings. For “Oswald” not only sought Price’s help in sighting the scope but allegedly said to him: “Did you ever see a clearer one?”

Price agreed. He thought “the telescopic sight on the gun Oswald was firing that evening” was “one of the clearest I’ve ever looked through.”

Price, according to the Dallas Morning News, further stated that he saw Oswald again Nov. 17—the Sunday before Kennedy was slain. “Oswald,” according to Price, had posted himself at the No. 8 shooting place—without a gun. Then, Price noticed, “somebody, I don’t know if it was a man or woman,” passed a wrapped-up rifle to Oswald over the 5-foot-high fence!

Now, does that sound like Oswald the loner, or Oswald the family man? I suppose the person who passed him the rifle was Marina, clutching her weeks-old baby to her breast with one arm, while two-year-old June clings to her skirts, and maneuvering with her free hand a heavy gun across a high fence!

It would have been a lovely family scene, but it didn’t happen that way. For, “shooting alongside Oswald that Sunday” was another eyewitness, Garland G. Slack, 59, a heating engineer who lives at 4130 DeLee Street.

“Slack said Oswald was shooting rapid-fire at three different targets, ‘and I think he centered them all. It made me mad when he shot at mine, though, and I ran in and raised hell with Floyd (the range owner) about it.’”

Some character, that Oswald. First he gatecrashes a gun range, then he has a rifle passed to him across a high fence and on top of all that he starts shooting like mad at three targets at a time including the one where somebody else is practicing!

And what a remarkable outfit, that Sportsdrome Gun Range! Here an excited customer comes running into the owner’s place and complains that somebody is firing at his target (as well as at two others) and what happens?

Nothing happens. For, if Mr. Floyd Davis had come out to have a look at, and a word with, that trigger-happy, non-paying gun enthusiast blasting three targets with rapid fire, then obviously he couldn’t have said afterwards, as he did, that he had never seen Oswald in his life.

Or, did he come out after all and raise hell with that wild one—and still was able to swear, with a perfectly straight face, that he
had never set eyes on Oswald?

But it was Oswald, Mr. Slack is sure.

"I'd know that face anywhere. I can't remember phone numbers or names, but faces I do and it was Oswald."

Mr. Slack's sad experiences that Sunday on the gun range were not confined to that unruly customer Oswald. I quote again from the News:

"'A man was with Oswald that Sunday,' Slack said. 'He was 25 years old or less, tall and dark haired. I remember his shoes were real big—boy, he had big feet—and the shoes turned up like the dwarfs' in Snow White.

"'One reason I remember him (the other man) so well,' Slack went on, 'was that he kept kicking the stand where I was shooting.'

"Slack said Oswald shot for an hour or more and the two men left in an old, 'desert sand' colored auto—at least 10 years old.

"He noticed again, Slack said, 'because they jumped in and took off like crazy boys do—left a bunch of flying dust.'"

Now all this, mind you, took place on a gun range just outside Dallas on Sunday, Nov. 17, 1963—five days before President Kennedy was assassinated.

A man positively identified as Oswald by two persons appears at that range and engages in wild shooting antics that would have scared a squad of riot troopers. His conspicuously dressed companion obtrusively invites the angry attention of another customer by kicking his stand repeatedly (while "Oswald" peppers the same target with rapid fire from the sidelines). And in the end the two of them take off with screeching tires in a cloud of dust.

Could there be anything more spectacular, more boisterous, more obtrusive? What was the purpose of this scene?

Is it even remotely thinkable that a young family man who is plotting to assassinate the President of the United States for no conceivable reason—and who, moreover, keeps at home a picture of himself holding the murder weapon—stages such a show five days before the deed?

Why, if Oswald that Sunday had walked into a Dallas police station, flaunting his rifle in the face of the cops and yelling: "If that so-and-so Kennedy comes here next Friday, I'm going to let him have it!" he could hardly have given louder advance notice of what he planned to do.

There is only one word for it: Impossible.

Then, what is the meaning of these strange goings on?

It is simple enough. Here, again, you are watching the mechanics of the frameup in action. This whole scene was staged by the plot-
ters against Kennedy's life as part of their elaborate preparations to divert attention from themselves and toward Oswald. It is indeed quite clear from the testimony of Price and Slack that a man who bore a remarkable facial resemblance to Oswald was on the scene that day. And all the evidence—especially Brennan's remark about that "slender, nice-looking guy" at the Book Depository window—goes to suggest that this man, who may have been almost a double of Lee Harvey's, was a key figure in the assassination.

Back once more to Mr. Slack, who holds another surprise in store for us.

"Slack said Oswald had three different guns, including one wrapped in 'rags or something.' He said the guns were passed over the fence to Oswald."

So now it's three guns! I thought the killer had used only two to shoot President Kennedy with: the Mauser they found in the Book Depository and the Carcano on the Life cover. So much for Oswald practicing at the gun range, which, incidentally, didn't open for business until Oct. 26, 1963.

As far as I know, no unimpeachable evidence has been produced to show that Oswald had the skill to perform such remarkable shooting with the rifle at his disposal. If the murder weapon turns out to be a 7.5 mm. German Mauser, as Wade first asserted, some of the technical difficulties would be minimized—only at the cost of undermining the police and FBI case to date.

Mark Lane, the attorney who represented Mrs. Marguerite Oswald and also appeared before the Warren Commission, says he has proof that the original description of the alleged murder weapon was the right one. In a talk to the annual convention of the International Association of Democratic Jurists at Budapest, on April 7, 1964, Mr. Lane declared that he had photostatic proof of the fact that the rifle found at the Book Depository had been identified by the Dallas police experts as a Mauser.

The rifle is now believed to be in the hands of the Warren Commission and one assumes that it will be made available to expert inspection when their report is made public. At least this one set of contradictions of the make and caliber of the rifle should be resolved. In the interim, I'd like to concentrate next on the photograph of Oswald holding the rifle, partly to compare it with other photographs of the murder weapon, but chiefly to show through its bizarre publication history the degree to which unscrupulous commercialism infected the Oswald case from its inception. In this commercialism the Luce empire played a major role in creating the impression that Oswald was guilty as charged.
Henry Luce is the son of a missionary and has always piously insisted on the importance of ethics in public life. He is a pillar of the Establishment, with a vast publishing empire that influences the American public at all social levels (*Fortune* for the corporation executives and the wealthy, *Architectural Forum* for professionals and connoisseurs, *Time* for the intermediate managerial levels, professionals, and teachers, and *Life* for the popular market). Unfortunately, the reputation for veracity and accuracy of both *Life* and *Time* is not very high in the world of journalism and the first issue of *Fact* has an array of personalities who give, from first-hand experience, chapter and verse of *Time*’s distortions. In the Oswald case *Time* and *Life* outdid themselves. It would take many pages to list their half-truths, misstatements, inaccuracies and outright falsehoods; and the reader is invited to compare their accounts of what happened with the facts given in this book from authoritative sources.

More important however than journalistic inaccuracies is that someone on Mr. Luce’s staff knowingly condoned, if not connived with, police corruption in Dallas, to obtain what he considered a journalistic scoop—the famous snapshot of Oswald holding a rifle, which graced *Life*’s cover of Feb. 21, 1964.

The reader will recall that the Dallas police announced as “cinching” evidence photographs of Oswald holding the rifle. They were “found” among Oswald’s effects (whether in Irving or in the rooming house or elsewhere has never been mentioned), and they remained in the possession of the police without ever being made public. Suddenly, the pictures appeared on the market and what happened is described in *Newsweek* (probably not without malice at the discomfiture of its competitor) in its issue of March 2, 1964, in the “Press” section:

“... three weeks ago a *Life* photographer received an anonymous phone call, offering him exclusive shots of Oswald (including one of him holding a rifle). The photos apparently had been collected by police officials during the investigation, and the best guess was that some official source had passed them on to the seller.

*Life*’s lawyers decided against buying them on the ground that
the documents actually belonged to Marina Oswald and that she could sue. The photographer then went to James Martin, an ex-motel manager and Marina Oswald’s business adviser, seeking the originals. Martin had the photo of Oswald and the rifle and sold exclusive North American rights to Life for less than 5,000 dollars.

“Unfortunately for Life, at least two other packets of Oswald photos 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 photos (including the one Life had bought) for only 200 dollars. The Free Press rushed the Oswald-with-rifle picture onto its front page early last week and then turned it over to the Associated Press—on the day that Life hit the stands with the same photo on its cover.”

It is an incredible story: official documents, seized by police by virtue of their public authority in the investigation of the most serious crime of the century, being peddled by an anonymous group of sellers to different groups of buyers in the newspaper industry! Documents which the police had labeled “physical evidence,” “cinching” the case, appear on the open market—how? They are either stolen or made available by the connivance of the police. In either case should not the highly ethical Luce organization have immediately notified the FBI and the Warren Commission instead of worrying about lawsuits and figuring out a way to exploit the photos commercially?

It is one of the sad commentaries on the Oswald case that since the Newsweek story came out there has been, to my knowledge, no protest against this gross and sordid abuse of authority by any prominent politician, legal authority, or civic leader. Corruption in police circles and commercialism at any price have become too familiar to evoke indignation.

At the very time that Life was being tempted—in the first days of February—Marina Oswald was testifying before the Warren Commission, which asked her to identify a total of 145 objects and documents that had belonged to her husband or were related to him. Were copies of the photographs in the Commission’s hands? If not, why not? Is it conceivable that the Commission would have released such evidence? Should not a responsible organization, which the Luce establishment considers itself, have contacted the Commission?

Is it possible that these photos were deliberately withheld by the police to be peddled? Or were other copies in existence in other files before the assassination? We shall revert to this startling possibility in Part II, but for the moment it is sufficient to point out the utter implausibility of a man planning the assassination of the Pres-
ident keeping in his home a set of pictures displaying the weaponry to be used.

*Life* offered the photograph as proof positive of Oswald's guilt. It was already on record (Nov. 29) that "the most damning evidence of all . . . was a snapshot of Oswald showing him holding a rifle that apparently was identical with the one that killed the President." Now, in its famous issue of Feb. 21, 1964, it captioned the photograph: "ASSASSIN-TO-BE AT 23. Full version of photograph which appears on *Life's* cover shows . . . rifle he used to shoot President Kennedy . . . Dallas police have confirmed that this is the rifle found in the Texas Book Depository. *On Oswald's hip is the revolver which killed Dallas policeman J. D. Tippit . . ." (italics added)

This last assertion is a complete falsehood. The pistol in the photo is nearly invisible and obviously impossible to describe. Secondly, the pistol that was allegedly found on Oswald in the theatre has never been exhibited. Thirdly, there has been no evidence shown that the pistol allegedly found on Oswald fired the bullets found in Tippit.

Nonetheless, *Life's* assertion that the photograph proved Oswald's guilt was echoed abroad. The French illustrated magazine *Paris-Match* (which has close business relations with *Life*) followed *Life's* lead. It, too, put the snapshot on its cover of Feb. 29, 1964, with the legend: "This Photo Means the End of the Mystery Surrounding the Death of Kennedy." Alas, what it did do was to further compound the mystery, for the *Paris-Match* cover drew my attention to the fact that both *Paris-Match* and *Life* magazine retouched the picture. This sent me looking for the Associated Press picture, which is supposedly identical, to compare these pictures of the rifle with the photos of the murder weapon made at police headquarters. The various pictures are reproduced in the documentary section of this book. In my layman's judgment they show two different rifles.

In passing, it should be noted that the photograph, even if taken at face value, merely makes Oswald a suspect and is in no way proof of guilt. The pistol at his hip cannot be identified as the .38 that killed Tippit. The photo merely indicates possession of weapons *at the time* the photo was taken; someone may have stolen the rifle and used it, or the rifle in the photo may not be the rifle in the hands of the police.

As I've mentioned, this last assumption is far from improbable. I ask the reader to look at the rifle in Oswald's hands and the rifle in the detective's hands. It seems to me, as a layman, that there are discernible dissimilarities between the two weapons. In the first place, the rifle taken from the Book Depository quite obviously is a more
solid, more elaborately wrought and more expensive-looking weapon than the cheap, Italian-made surplus rifle Oswald actually owned and which appears on the *Life* cover.

Secondly, the measurements of the various parts—for instance the proportions of stock and barrel—do not agree at all; the caliber is clearly different.

On the *Match* picture, note, among other things, how closely the telescopic sight is fitted to the stock and how far it is detached on the other photos! Also, on the *Match* picture, the end of the telescope is level with the body of the gun at the point where the curve of the butt begins, while on the rifle seized at the Book Depository it overlaps by inches.

Again, observe the different shapes of the two rifle butts in question. The one on the *Match* picture—and this dissimilarity is perceivable on the *Life* picture, too—is conspicuously slimmer and more elongated than the one you see on the photos taken Nov. 22, 1963. It also has a softer bend than the other rifle shows.

When the Warren Commission makes the murder weapon available to public inspection, these discrepancies will have to be reconciled. Meanwhile it should be pointed out that *Life* and *Match* retouched the photography without informing their readers that they had done so, although purportedly presenting it as a "document" in evidence. Yet in this respect *Life* was not as free-wheeling as the *Detroit Free Press* and the Associated Press, which distributed its own version. In this version, the telescopic sight is not there! It's gone, vanished—retouched away!

*Newsweek* states explicitly that the AP photo is the same as the *Life* photo and, indeed, all other details agree. The disappearance of the telescopic sight is simply the result of the newspapers accommodating themselves to the official stories of the Dallas police. When the police announced the gunsmith as having fitted a telescopic sight on Oswald's rifle in *October*, the picture, said by *Life* to have been taken in *April*, of a rifle bought in *March* did not fit the given official facts. Instead of challenging the official handouts, the *Detroit Free Press* and the Associated Press allowed a picture to be blatantly doctored. It is, in many ways, a symbolic act that vividly reveals the shameless acceptance of official half-truths by many publishers and editors of journals whose reporters were doing a fine job of coverage. Indeed, as I've mentioned before, the *Detroit Free Press* was to run some fine articles by Gene Roberts.

There is still another aspect of the photo which is puzzling, and that is the newspaper which Oswald is holding up in one hand as he clutches the rifle with the other. In all versions of the photograph
the newspaper is blank, yet *Life* on page 80 of the issue in question says it is *The Militant*, a Trotskyist newspaper.

How did *Life* know, when the newspaper appears blank in its reproduction of the photograph? If the title is legible in the original, why isn't it in the reproduction? Could it be that someone in the newspaper offices realized that Trotskyists are anti-Soviet and anti-Communist, and hence the newspaper didn't fit the political image of Oswald which was being presented to the public? In any case, the fact of this newspaper, if it was *The Militant*, becomes a significant item in Part II when we examine the possible relations of Oswald with the FBI and/or the CIA prior to the assassination.
The remainder of Part I of this book will, I believe, completely demolish the official version of the assassination as presented by the Dallas police and as confirmed by the FBI report in five volumes submitted to the Warren Commission. It may be well, therefore, to sharpen the issues.

The leaked official report has three major conclusions: (1) Oswald killed President Kennedy; (2) Oswald killed Patrolman Tippit; (3) Oswald acted alone—a demented killer with no accomplices. Later chapters will deal with conclusion (2). We have thus far concentrated mainly on conclusion (1), that Oswald did not fire the shots that came from the Depository, that is, he did not kill the President. Without prejudice to this argument, I will now deal with conclusion (3)—that Oswald acted alone. I will try to demonstrate that there must have been, at very least, two killers: one firing from the Depository behind the car, and one firing from the triple underpass ahead of the car.

If there was more than one gunman, the question of a conspiracy is immediately on the table, and since this is the basis of my argument in Part II, the events discussed here are crucial to my entire interpretation of the case. Some of the discrepancies which I and other observers have emphasized may be susceptible of explanations by the authorities, but what I am about to discuss—the wounds of the President, the number of bullets involved and the direction of the fatal bullets—cannot, in my opinion, be explained away. I will prove that there were two killers.

It must be emphasized that I do not know who the killers were, nor do I feel that, as an independent reporter, I am obliged to speculate on who they were. I only have to prove that Oswald, if he were one of the killers, was not acting alone. For this purpose I have to demonstrate either that one of the fatal bullets came from a direction in front of the presidential car, or that there were four or more bullets fired. I do not have to prove both of these propositions; one suffices to demolish the official thesis. I propose to show the first (the direction of the bullet) to a high degree of probability; I propose to prove the second on the basis of official statements. Most important
of all, however, I propose to prove logically from eyewitness accounts that if all bullets came from the Depository, there had to be four bullets; conversely, if there were only three bullets fired, one of them had to come from the underpass.

I should emphasize that while there is some argument as to whether a sniper with the Carcano rifle could have fired three shots in five and a half seconds, there is no argument whatever that he couldn't have fired four shots. I have information that a member of the Warren Commission has explicitly stated that if there were four bullets, Oswald didn't do it alone.

I intend to approach the problem by way of the various hypotheses put forward as certainties by the Dallas police and District Attorney Wade to show, as a by-product, the tenacity with which these officials sought to convict Oswald as the assassin.

The starting point was the findings of the surgeons at Parkland Memorial Hospital who labored in vain to save the President's life and who operated successfully on Governor Connally. Their verdict was formal and indisputable: the bullets had struck their human targets from the front.

Dr. Robert R. Shaw, chairman of the department of thoracic surgery at the Hospital, has stated unequivocally: "The first bullet entered President Kennedy's trachea, in the front of his neck, coursing downward into his right lung..." (New York Herald Tribune, Nov. 28, 1963)

Another of the three surgeons who examined Kennedy's wounds, Dr. William Kemp Clark, put it this way: "Mr. Kennedy was hit by a bullet in the throat just below the Adam's apple" (New York Times, Nov. 23). The same authority later specified that Kennedy was struck by a bullet at the necktie knot and added, "It ranged downward in his throat and did not exit." (New York Times, Nov. 27).

Dr. Robert McClelland, who worked on Kennedy's throat wound, told Richard Dudman of the St. Louis Post-Dispatch that the wound was an entry wound. It should be emphasized that there were some ten to twelve doctors involved, three of whom, McClelland, Carrico and Perry, worked directly on the throat. No single doctor disagreed at the time with the formal findings as published everywhere: the wounds came from in front.

A paragraph from the detailed account of events in Parkland Memorial Hospital on the Day President Kennedy died, which was written by Bryce Miller of United Press International (cf. the New York Times, Nov. 30, 1963), also provides confirmation of the fact that Kennedy was hit from the front.

"Dr. Carrico, the first man in the [operating] room, forced an
endotracheal (breathing tube) down the President's windpipe as Dr. Malcolm Perry, an assistant professor of surgery, dashed in.

"Dr. Perry decided further help in breathing was needed. The first bullet had opened the windpipe. Dr. Perry inserted a tube through the bullet hole." (italics added)

Concerning the injuries sustained by Governor Connally, the Dallas Morning News of Nov. 23, 1963, gave the following description on the basis of the diagnosis made by Dr. Shaw: "The bullet that hit Connally in the back went through his chest, taking out part of the fifth rib and collapsing the lung. The bullet then went into his right wrist, causing a compound fracture, and then buried itself in his left thigh."

Actually Connally was hit on the right side, just under the shoulder, but, as we shall see later, he was turning at the time so the direction whence the bullet came is difficult to ascertain.

Immediately after the medical findings about the direction of the wounds had become known, those who were determined to pin the blame for the assassination on Oswald at all costs rushed in with the first of three palpably spurious explanations. In a dispatch from Dallas Nov. 26, New York Times correspondent John Herbers quoted the assistant of District Attorney Wade, Bill Alexander, as saying:

"The known facts about the bullets, and the position of the assassin, suggested that he started shooting as the President's car was coming toward him, swung his rifle in an arc of almost 180 degrees and fired at least twice more."

This "explanation," which would have put the President's car on Houston Street, just before rounding the corner into Elm, when the first shot was fired, had to be dropped like a hot potato after Connally and other eyewitnesses had established that the shooting did not start until after the presidential limousine had swung into Elm Street and was well past the Book Depository. The issue now is no longer in doubt, for the spot where Kennedy was first hit has been identified also, by still pictures, as being some 75 yards beyond the Book Depository, almost half the way toward the underpass.

So now we no longer have Oswald wildly swinging his rifle in 180-degree arcs, but firing straight ahead three times in quick succession—and hitting his target each time from the front!

A second "explanation" was quickly forthcoming: Kennedy, it was suggested in official quarters, must have been leaning back and waving to somebody in the rear when he was struck by the first bullet.

As Life says:

"Since by this time the limousine was fifty yards past Oswald and the President's back was turned almost directly to the sniper, it has been hard to understand how the bullet could enter the front of his
throat. Hence the recurring guess that there was a second sniper somewhere else. But the 8 mm film shows the President turning his body far around to the right as he waves to someone in the crowds. His throat is exposed—toward the sniper's nest—just before he clutches it."

Photos of the shooting disproved that version, too, as did eyewitness accounts. Kennedy was facing straight forward the instant he took the first bullet in the front of his neck. Besides, even if he had been waving to the crowds, the direction of his first wound still would be inexplicable unless one were to assume that he was practically leaning over backward.

What now?

Very simple: If the doctors won't cooperate, their findings can be doctored. And so, after a suitable interval—during which the medical staff of Parkland Memorial Hospital received firm orders from the F.B.I. not to discuss the matter any further in public—we are treated to Explanation No. 3. It goes like this:

The pathologists who conducted an autopsy on Mr. Kennedy's body at the Bethesda, Md., Naval Hospital, near Washington, discovered a "small neat wound" in the President's back, which the physicians at Parkland Memorial Hospital allegedly never discovered "because Mr. Kennedy was lying on his back on an emergency room table during the entire time they were attending him." (AP dispatch from Washington, Dec. 18, 1963)

In addition, the pathologists at the Naval Hospital were said to have concluded that the throat wound really was caused by "the emergence of a metal fragment or piece of bone resulting from the fatal shot in the head" (the third of the volley and the second to hit Kennedy).

This two-fold, undeserved slight on the professional ability of surgeons like Dr. Clark, Perry and Shaw (who were surrounded by at least ten to twelve other surgeons and physicians at Parkland Hospital) was not put forward, it should be noted, by their colleagues of Bethesda Naval Hospital, but by an unidentified "reliable source" in Washington. This unusual procedure in medical findings is of such importance that the authority of the "unidentified source" must be known to be judged. Instead the wire services merely identified the spokesman as "a source fully acquainted with the results of a post-mortem examination conducted at the Bethesda, Md., Naval Hospital." Could it be that the post-mortem is ambiguous and that no doctor would sign a clear-cut statement such as the "source" put out? That this suspicion has foundation is shown by an observation of Richard Dudman in the New Republic of Dec. 21, 1963:
"Conclusions reached in a post-mortem examination at Bethesda would have questionable validity. The doctors at Dallas had made their incision through the bullet hole in performing a tracheotomy in an effort to restore satisfactory breathing. The hole was slightly below the Adam's apple, at the precise point where a tracheotomy normally is performed. Changes in tissue in the several hours before the body reached Bethesda, moreover, would have increased the difficulty of reconstructing the path of the bullet."

That the doctors in Dallas still believe the bullet in the President's throat was an entry wound, and that, therefore, the President was shot from in front, that is, from the direction of the underpass, is indicated not only by their official silence, but by their unofficial assurance. Richard Dudman reports in the New Republic article mentioned above that "Dr. Robert McClelland, one of the three doctors who worked on the throat wound, told me afterward that they still believed it to be an entry wound. . . . He explained that he and his colleagues at Parkland saw bullets wounds every day, sometimes several times a day and recognized easily the characteristically tiny hole of an entering bullet, in contrast to the larger, tearing hole that an exiting bullet would have left."

As far as we know, only one doctor, Dr. Clark, had ever had any doubts that the throat wound was an entry wound. But well before the Bethesda post-mortem he had also come to agree with all his colleagues that it was an entry wound.

At least one Dallas surgeon told Mark Lane that he hasn't changed his mind.

It seems to me that in this crucial bit of evidence the truth could be ascertained. A confrontation of all the doctors before the Warren Commission, and a vigorous cross-examination by the Chief Justice in his old style as a District Attorney should elicit the truth.

Meanwhile there is a substantial amount of independent testimony from several eyewitnesses that there were shots from the underpass. Next to the underpass, between it and the Depository Building, is a wide, sloping grassy expanse, from which many people were viewing the parade. Mary Woodward, a reporter from the Dallas Morning News who was sitting there with three other staff members from the paper, has testified that the shots came from behind her and to the right, that is, from the direction of the underpass. Here is her story as given in the Morning News (Nov. 23):

"We had been waiting about half an hour when the first motorcade escorts came by, followed shortly by the President's car. The President was looking straight ahead and we were afraid we would not get to see his face. But we started clapping and cheering and both he and Mrs. Kennedy turned and smiled and waved directly
at us, it seemed. . . . After acknowledging our cheers he faced forward again and suddenly there was a horrible ear-shattering noise coming from behind us and a little to the right . . .)” (italics added)

Mark Lane’s brief in the Oswald case, submitted to the Warren Commission, reports his conversation with Ronnie Dugger, editor of the Texas Observer, who asserts that four employees of the Dallas Morning News were situated between the underpass and the Depository (evidently Mary Woodward and her companions) and that “they all agreed that the shots sounded as if they had come directly from the underpass. Of course,” Lane goes on to point out, “this dovetails with the original radio broadcasts which reported that a motorcycle policeman was seen, immediately after the shooting, racing up the grassy embankment in pursuit of a couple seeking to flee from the underpass. After the arrest of Oswald, the story disappeared and has, to my knowledge, never been followed up.”

That something was happening near the underpass is clearly indicated by Sheriff Decker’s “premature alert,” discussed in Chapter II, and Lane’s observations find further support in the testimony of two eyewitnesses who were very close to the President’s car as the shots rang out. One of them, Mary Moorman, took the famous Polaroid picture at the very instant the President was mortally wounded. Both testified that they saw a man running up the hill across the street from them, i.e., up the grassy slope where the motorcycle cop was seen running.

The trajectory of the bullet in Connally’s body is definitely known, but, as I’ve mentioned, the Governor was turning when he was hit. He was sitting in front of the President, with his back to Mr. Kennedy, and facing the underpass. The bullet hit behind his right shoulder and went through the chest, ranging downward to hit his right wrist which was above his left thigh. The bullet lodged in the left thigh. If a reader will sit in a chair facing directly front, with his right hand on his left thigh, the relations of the various parts of his body will be about right. The Depository is then behind Connally and to his right, and if he hadn’t moved, the trajectory of the bullet would be consistent with coming from the Depository. But Connally turned twice, once to his right (as shown in the pictures published by Life and taken from an amateur 8mm film taken by chance at the time of the shooting) and once to his left. Turning to his right he would be facing the Depository and would get the bullet in his chest. But he turned again. In a UPI dispatch from Austin, Texas, published in Newsday, Feb. 4, 1964, Connally said he whirled to look at the President “and then when I didn’t see him at first glance, I turned again. It was evidently this turn that saved my life.” Connally had previously described this turn which “saved his life,” as a turn to
his left. He told Martin Agronsky in his famous television interview from the hospital on Nov. 27: “I turned to my left, and the President had slumped. As I turned I was hit...” (italics added)

If the reader will go through the motions of turning right and then turning left far enough to look behind him, he will see that his right shoulder is facing ahead toward where the underpass would be. Any shot from the Depository that hit behind his right shoulder would go through the shoulder and not through the chest. A diagram illustrating the point is reproduced in the documentary section. It may be that the 8mm film, which is very blurred and hard to examine, will yield a definitive answer to the experts of the Warren Commission.

One final point should be noted, which, while not definitive, has some significance. It was at first assumed that Kennedy had been shot while his car was going toward the Depository Building. The reason for this assumption was that the President had been shot in the throat from in front, the wound was an entry wound. But what made this assumption particularly plausible is that this is what a sniper would do: shoot at his victim coming toward him. It is much easier, by a goodly margin, than shooting at the two men as the car was going away. Why, then, didn't Oswald shoot when the car was coming toward him?

But if there were two killers, one in the underpass and the other in the Depository, the one in the Depository had to shoot after the car had turned the corner and was going away from him—otherwise his shot would have alerted the motorcade and prevented the underpass sniper from getting his shots in. In other words, in a crossfire, one sniper shoots at the victim as he approaches, and the other sniper has to shoot as he moves away. It is a necessity and is well known in marine and army tactics, where a crossfire is known as the most effective ambush tactically available to two men.

This, incidentally, was the kind of ambush which was used by Lt. Colonel Bastien-Thiery in the waylaying of President de Gaulle's limousine at Petit Clamart on August 22, 1962. The Dealey Plaza in Dallas was ideal for this type of ambush. The sniper, or snipers, posted along the parapet of the triple underpass, had the motorcade moving slowly toward them, the presidential car in the rifle sights. Most important, he, or they, had the midday sun behind them while it was shining directly into the eyes of their accomplice at the sixth-floor window of the Depository.

The weight of evidence published thus far seems to be heavily in favor of the President's throat wound being an entry wound. This would place an assassin on or near the underpass. This sniper could not be Oswald since he was in the lunchroom a few minutes after the shots were fired, so either Oswald did not do the murder alone
or not at all. Aside from the wounds, this problem can be approached by a different line of inquiry, namely the number of bullets fired.

Most people on the scene said they heard three shots fired, although there were several witnesses who testified before the Warren Commission, March 10, 1964, that they had heard four shots. One James Worrel told newsmen defiantly, "I don’t care what anybody says: I heard four shots." The police position is that three shots were fired, and it seems to be the FBI position. According to an AP dispatch on the FBI report, "it has been established that all three shots came from the same direction, behind and slightly to the right of the President’s car." That is, from the direction of the Depository building.

Those three shots, however, seem to have produced at least four, if not five or more bullets. One bullet we know for a fact was in Governor Connally’s thigh. Another bullet was in Mr. Kennedy’s body, at least until the autopsy. This is the bullet that did not exit; the Parkland Hospital surgeons said it entered at the throat, ranging downward, and did not exit. Or, on the basis of the Bethesda “unofficial” report, it went into the President’s back and did not exit. That makes two bullets. Fragments of a third bullet were found in the car. Minnis and Lynd writing in the *New Republic* (Dec. 21) consider it “likely that the fragmented bullet would be the one which made the head wound.” They quote Dr. Clark to the effect that the bullet went “in and out” of the President’s head and then quote a forensic medicine specialist, Le Moyne Snyder, who says in his book *Homicide Investigation*: “When a lead bullet is fired into the skull at an angle, it will sometimes fracture the skull bone in such a way that a sharp edge of bone is presented to the bullet. As a result the bullet is cut in two lengthwise...”

That’s three bullets.

However, there is clear evidence that there was a fourth bullet. In the *New York Times* of Nov. 25 there is a story from Dallas by Fred Powledge, who cites FBI agent Shanklin as his source: “A bullet that Secret Service men removed from a stretcher at Parkland Hospital... matched bullets fired by the rifle” found inside the Depository.

This makes four bullets.

Supporting evidence of a fourth “stretcher” bullet comes from the fact that there were ballistic tests. Sauvage points out that both Chief of Police Curry and FBI agent Shanklin “had said that ballistic tests made in the FBI Washington laboratories proved that all three bullets had been fired from ‘Oswald’s gun’” (*Commentary*, March, 1964), but goes on to question whether the fragmented bullet could have been used: “How could this be when one of the bullets was splintered and when experts from all over the world—including..."
Soderman and the late Chief Inspector of the New York Police Department John J. O'Connell—have made it clear that ballistic identification with the help of the comparison microscope is possible only "if the bullet has retained its shape or is only partly deformed?"

One bullet fragmented, one bullet in Connally, one bullet in Kennedy. That's three bullets. Where did the FBI laboratory get one unsplitter bullet for their ballistic tests? Answer, the "stretcher" bullet, bullet number four.

Richard Dudman of the St. Louis Post-Dispatch, who has been one of the most tenacious newspapermen in digging up clues in the Oswald case, has turned up a fifth bullet. Writing in the New Republic of Dec. 21, in an article entitled Commentary of an Eyewitness, Dudman enumerates the four bullets I've mentioned: "authorities repeatedly mentioned four bullets found afterwards—one found in the floor of the car, a second found in the President's stretcher, a third removed from Governor Connally's left thigh, and a fourth said to have been removed from President Kennedy's body at the Naval Hospital in Bethesda." Dudman then goes on to say: "On the day the President was shot I happened to learn of a possible fifth. A group of police officers were examining the area at the side of the street where the President was hit, and a police inspector told me they had just found another bullet in the grass." (italics added)

Mr. Dudman's "fifth" bullet seemed to me very important and I searched for corroborative evidence. I found it in the files of the United Press International in photograph DAP112226 which is dated from Dallas the day of the assassination. Under the photograph (reproduced in our documentary section) the caption reads "A Dallas policeman points to a spot where a bullet is believed to be embedded in the ground." This bullet has disappeared from the news, but the Warren Commission may be able to make it materialize.

We have shown so far that if the throat wound is an entry wound, one shot at least must have come from the underpass, and if there were four or more bullets, then either a more modern rifle than the Carcano was used or an additional rifle (and sniper) was required. But now, thanks to Mr. Dudman, we bring these two probabilities together into a certainty that Oswald (if Oswald was the sniper in the Depository) could not have done it alone.

Mr. Dudman noticed an interesting thing the day of the assassination: the windshield on the President's car had a small round hole which he took for a bullet hole. Another trained newspaperman, Frank Cormier of the AP, also saw the hole, but it was Mr. Dudman who published this crucial evidence in the St. Louis Post-Dispatch, Dec. 1, 1963:

"Another unexplained circumstance is a small hole in the wind-
shield of the presidential limousine. This correspondent and one
other man saw the hole, which resembled a bullet hole, as the au-
tomobile stood at the hospital emergency entrance while the President
was being treated inside the building.

"The Secret Service kept possession of the automobile and flew
it back to Washington. A spokesman for the agency rejected a request
to inspect the vehicle here (in Washington). He declined to discuss
any hole there might be in the windshield."

The windshield has been presented to the Warren Commission
in evidence and it may prove to be the evidence that blows sky high
the leaked official report of the FBI. For if the hole is a bullet hole
(and it is hard to think of what else would make such a hole in
a bulletproof windshield) a completely insoluble dilemma arises for
the FBI.

To understand the dilemma we must visualize clearly the rela-
tive position of the objects and people concerned as shown in the
diagram in the documentary section. Their sequence is as follows:

UNDERPASS WINDSHIELD CONNALLY KENNEDY DEPOSITORY

If three bullets came from the Depository, two hit Kennedy
and one hit Connally. That is, three bullets went into two men, and
therefore what made the hole? If all the shots came from the Depos-
tory there had to be a fourth bullet, at least, to make the hole.

This difficulty is removed if the shot came from in front. Then
a bullet went through the windshield and into the President’s throat.
But then, of course, this presupposes a sniper on the underpass.

This, then, is the dilemma:

If there were only three shots, at least one came from the un-
derpass; if all shots came from the Depository, there had to be four
bullets. In either case, Oswald could not have done it alone.

If the hole in the windshield is a bullet hole I submit that this
conclusion is inescapable. The Warren Commission may be able to
determine which of the two horns of the dilemma shall impale the
FBI, for quite often a bullet hole in glass will show which side of
the glass was hit first. On the opposite side a tiny cup-shaped spot
will appear.

If the hole in the windshield is a bullet hole from in front, there
was a sniper on the underpass. If it came from the back, then either
a more modern rifle than the Carcano was used or two rifles were
used. Any of these alternatives makes a shambles of official conclu-
sions. The hole in the windshield may be the breakthrough opening
in the Oswald case. The Warren Commission can then proceed to
the building up of the staff necessary to fully investigate the assassina-
tion ab initio.
"Good cop" is the description by Ruby's sister of Patrolman J. D. Tippit. From the inception of the Oswald case the alleged slaying of this "good cop" by Lee Harvey Oswald has seemed to me one of the weakest links of the official case against Oswald. I was therefore quite pleased as well as surprised to see support for my opinion from the New York Journal-American. This last redoubt of the former Hearst empire is not given to crusading for forlorn causes or to attacking the Establishment, particularly the police or the FBI. To find its columnists Bob Considine and Dorothy Kilgallen muckraking the Oswald case and casting doubts on the official theory has been both refreshing and hopeful. It may yet become fashionable to question the official version.

On April 14, 1964, the Journal-American ran a column by Miss Kilgallen which opens up many embarrassing questions for the Dallas police:

"A mysterious and significant aspect of the events following the assassination of President Kennedy in Dallas never has been explored publicly although it must have occurred to the crack reporters covering the case as well as the authorities investigating the tragedies. The important question is: why did Lee Harvey Oswald, presumably fleeing from the police after the assassination, approach Patrolman J. D. Tippit's car—in broad daylight, with witnesses standing by—and shoot the policeman three times, although Officer Tippit had not said a word to Oswald?

"Oswald had managed to slip away from the scene of the crime cleverly, almost miraculously, and had done quite a bit of traveling without being apprehended, so it is clear that even if he was a psychopath he was—up to that point—not a reckless one. A man who knows he is wanted by the authorities after a spectacular crime does not seek a policeman, usually, unless he has decided to give himself up, and Oswald certainly wasn't doing that. By shooting Officer Tippit, instead of trying to make himself inconspicuous, Oswald put himself in double jeopardy. His act almost guaranteed his arrest. Why? A whodunit fan would infer that the policeman knew something about Oswald that was so dangerous that he had to be silenced at any cost, even Oswald's chance at escape and freedom." (italics added)
Miss Kilgallen's posing of the italicized central problem is indeed acute; the solution of her whodunit fan is less so, for if Oswald was the killer it was not only freedom but the electric chair he was risking. Nothing policeman Tippit might have known about him would be as dangerous as the electric chair. Her whodunit fan might infer a more likely possibility: the killer was someone other than Oswald.

There are at least two, and possibly four, valid and cogent reasons why Oswald could not have been the killer, arising out of eye-witnesses' statements and the time of Oswald's itinerary in the hour and a half that elapsed between his leaving the lunchroom and his arrest in the movie house. One and one half hours: the fastest solution of a major crime I've ever known—if Oswald was the killer.

As already outlined in Chapter 5, Oswald left the Depository, walked for some blocks, took a bus that would pass through the scene of the assassination and, when the bus was caught in the traffic jam caused by the tragedy, he asked for a transfer ticket, got off, walked another couple of blocks, and hailed a taxi which took him five blocks from his lodgings. Oswald then went to his lodgings, got his jacket, and hurried out without answering the housekeeper, Mrs. Earlene Roberts. The last she saw of him he was standing at a bus stop across the street. All these points are located on the map in the documentary section.

The two strongest arguments against Oswald being the killer is that the only eye-witness to the shooting gave a description which did not fit Oswald and secondly that there is no evidence that Oswald was carrying a pistol. Let us take the second point first.

The police charged that Oswald picked up a .38 revolver from his lodging. This is an outright falsehood, yet it was published far and wide. Typical is *Time* (Dec. 6), which says: "He [Oswald] went to his room, quickly changed his coat for a windbreaker and left, taking with him a .38-caliber revolver." Oswald had no coat on to change, he was in his shirt sleeves, and he took no revolver. The housekeeper, Mrs. Roberts, who worked for the landlady, Mrs. Gladys Johnson, was watching television alone in the living room when Oswald arrived. She told the police "He came running in like the dickens and I said to him 'You sure are in a hurry!' but he didn't say anything . . . just ran in his room, got a short tan coat and ran back out." (Some magazines have "gray" instead of "tan.") Not only did she not see any revolver at this time but she had never seen one.

It would be difficult to hide a revolver in that room, a cubicle five feet wide and twelve feet long. I stood in it and surveyed the sparse furniture—a bedstead, an old vanity dresser, and a small clothes-holder—as I casually asked the landlady standing next to me: "Where did he keep the gun, Mrs. Johnson?"
Mrs. Johnson fairly exploded: "Oswald never had a gun in this room!" Her voice was trembling with the indignation of a law-abiding, respectable landlady who had told the police there had not been a gun in the room only to have her words disregarded. Yet as I stood there it was obvious that there was absolutely no hiding place in that room unless there was some elaborate cavity in the floor or in the walls which certainly would have been discovered and would also militate against the account that Oswald ran in and out of his room. There were only a couple of drawers in the room and Mrs. Roberts, in cleaning, had looked into them. (Dallas Morning News, Nov. 23)

At this time, Mrs. Johnson also told me that Oswald, when he left her house that day, did not carry anything in his hand. He had come in shirt sleeves and workman's trousers and had gotten from his room only a zipper-type tan plaid jacket. "As he walked out of the door, he was zipping it up," Mrs. Johnson told me, emphasizing her words with a "zip-up" gesture.

"What was the color of the plaid jacket Oswald wore when he left here?" I asked her.

"Brown," she replied unhesitatingly, and then modified the color slightly, "Well, olive-brown, you might say."

This color is one of the proofs of Oswald's innocence in the Tippit slaying, for, as we shall shortly see, the observed killer wore a white coat!

The police have presented no evidence that Oswald was carrying a gun that day, either before or after the visit at his lodging. Since he was in shirt sleeves, it would have been impossible to conceal the weapon either at work, in the bus, or in the taxi. If the gun had been in his room in an easily accessible place, a drawer, under his pillow, under the bed, Mrs. Roberts would have seen it. If the gun had been in an elaborate hiding place inside his room, hitherto undiscovered, he couldn't have got to it in the minute or so when he ran in and out. If it had been hidden outside, he couldn't have got it before entering the house since he had no place to hide it on his person, nor could he have got it afterward because Mrs. Roberts watched him leave the house, cross the street, and go to a bus stop. In any case, there is no evidence of Oswald being seen with the gun prior to the slaying. Other reporters have noted this crucial fact. Says M. Sauvage: "While many things, true and false, have been said about the Italian rifle, no evidence whatever connected with the .38 has ever been given to the press. If the official investigators have tried to trace its origins, they have told us nothing about the results of their efforts. Nor have they ever established as a fact that Oswald carried a revolver, or even owned one." (italics added)

The only "evidence" is the Life cover photo which shows a pistol
at his hip. As we shall see in Part II, there are many questions about this photo, who took it and why, and the pistol is one of the questions. Secondly, there are the police paraffin tests on Oswald's hands, which were positive. Such tests are presumptive and not conclusive. In any case, neither of these two facts is in any way, shape or form a "proof" that Oswald picked up a gun in his room or was carrying one when he left. Mrs. Johnson said explicitly that Oswald wasn't carrying anything and it was apparent that she and her housekeeper, Mrs. Roberts, had discussed the event in the minutest detail. The reader realizes, of course, that Mrs. Johnson was told of the occurrence by Mrs. Roberts (who was away when I came).

We move now to the crux of the accusation against Oswald, point 12 of Wade's famous interview, that eye-witnesses saw Oswald shoot Tippit. Here are District Attorney Wade's textual remarks:

"As he left [the rooming house], 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."

Wade's proclivity to inaccuracies and falsehoods (exhibited in Chapter 5 on his first eleven points) here reaches some kind of a record. First, as Oswald left the rooming house a witness saw him go to a bus stop—period. Tippit was killed twelve blocks away. Second, there were not three witnesses but only one, Mrs. Helen Markham. Third, she didn't say Tippit motioned to him. Fourth, she did not describe Oswald, so all Wade's references are to an unknown man. Logically, Wade may have other witnesses he has not seen fit to mention, but, in view of the fact that he was putting forward his most impressive evidence and that he identified a group of witnesses who saw other events after the slaying, this hypothesis seems unlikely.

Mrs. Markham's testimony demolishes Wade's insinuations. She lives in the neighborhood, at 328 East Ninth Street, and was waiting for a bus at the corner of the 400 block of East Jefferson, right across from E. 10th Street where Tippit was shot. She watched the incident at close quarters and she described the killer as "about 30, with bushy hair and a white coat." Newspapers widely reprinted this description. Particularly important is the fact that the Dallas Morning News, as soon as it heard of Tippit's shooting, sent three reporters to the scene of the crime. The three reporters, James Ewell, Hugh H. Aynesworth, and John Rutledge, jointly wrote the story and they said: "Witnesses to the shooting described a bushy-haired man about 30 as Tippit's slayer. They said he wore a white cotton jacket. He had run from the area. One man said he saw the suspect stick a gun in his belt . . ."

Mrs. Markham repeated to Mark Lane her description of the
killer as 30, bushy-haired and wearing a white, or very light, coat and added a significant detail—the killer, she said, was “stocky.” Oswald simply doesn’t fit this description. He was a slender youth of 24, his hair was close and was rather thin, and he wore an olive-brown plaid jacket which is plainly visible in all the pictures made of him after the arrest. While a witness might confuse olive-brown with white in the excitement, a plaid cannot possibly be mistaken for a plain white. The bushy hair is also impossible to explain. To impress an onlooker that hair had to be really “bushy.”

As devastating to Wade’s thesis as her description of the killer is Mrs. Markham’s account of what took place before her eyes. She said: “He [the unknown killer] walked over to the police car, leaned in the window and said something to the policeman. Then the officer got out of the car, and began to walk around the back of it to say something to him. All of a sudden they stopped, looked at each other and he pulled out his gun and shot the officer.”

Wade tried to give the impression that Tippit had stopped Oswald for questioning. A reporter asked if Oswald was on foot when Tippit stopped him and Wade replied: “Yes, he was on foot. And apparently headed for the Texas Theater.” (Mrs. Markham had already told the police that the killer had been walking east on E. 10th Street; the theater is west.) Time magazine says flatly that Tippit was cruising and added for good measure that Tippit had been alerted by a police call. “Patrolman J. D. Tippitt, 38, driving alone in a squad car, heard the call. He saw a man on the sidewalk and stopped his car to question him . . . Tippitt and the man exchanged a few words. Then the policeman got out of his car and walked around to the sidewalk. The man pulled a .38-cal. revolver, shot and killed Tippitt with hits in the head, chest and abdomen. Then he fled. It was 1:18 P.M.”

This concoction, completely at variance with the eye-witness account, was published by Time on Nov. 29. The time of 1:18 had by that time become official although all Dallas papers had originally said 1:15. A week later, Dec. 6, Time repeated the story with one deletion of a true detail (the two men had exchanged words) and one small addition in veracity—Tippit’s name was spelled accurately with one “t”. On balance, the story was a little less true than the first distorted version. It ran:

“Patrolman J.D. Tippit, cruising alone in Dallas police squad car 10, drove by. He had already received an all-points bulletin about a man answering Oswald’s description . . . Tippit stopped Oswald, got out of his car to question him. Oswald pulled his revolver, shot three times, and Tippit fell dead.”

Two months and one week later, Feb. 14 issue, Time had been able to thoroughly research the events and corrected its second ver-
sion—further away from the truth! Now it said: "As Oswald walked along East Tenth, Patrolman Tippit pulled up, got out of his car and started towards him. Oswald whipped out a .38-cal. revolver, pumped three bullets into Tippit and killed him." (italics added) This version is vastly improved, it has words like "whipped" and "pumped," it has Tippit driving by, recognizing Oswald, getting out of his car to grab him—it's much more dramatic. It is also less true than the previous mendacious version.

The facts given by Mrs. Markham are very clear. The police car was not moving. The unknown killer came up to it and stuck his head in the window and said something. Can anyone imagine a fleeing presidential assassin, hunted and fearful, deliberately going up to a police car to talk to a policeman inside? As Miss Kilgallen said, "His act almost guaranteed his arrest." Small wonder she calls the killer's behavior "mysterious and significant." If the killer was Oswald it is more mysterious than significant; if the killer was not Oswald it is significant but may not be mysterious at all when we know the truth.

There is one premise that explains the event: Patrolman Tippit and his killer knew each other! We surely cannot believe that Tippit, presumably alerted that a presidential assassin was on the loose, would have given an unknown suspect the chance to draw first. Would not any competent police officer—and Tippit, a former paratrooper, had been with the police force for nearly 12 years—have drawn his own gun under the circumstances? Would he not, at the first suspicious look or gesture, have followed the old police maxim: "Shoot first, ask questions later"?

On this premise, one can easily understand the free and easy way in which the unknown killer approached the car, stuck his head in the window, talked to the policeman, and the way the policeman behaved, got out of the car with his guard down, and approached the other man as if to have a conversation. Mrs. Markham has since told Mark Lane that the killer had put both his elbows on the window! What casualness—if it had been Oswald!

In my opinion Oswald's lack of a gun and Mrs. Markham's testimony, both as to the description of the killer and the events of the killing, completely demolish the contention that Oswald killed Tippit. There are further reasons which, while less compelling, have substantial weight and merit consideration. The most important by far is the time element. One of the sources of confusion in the Oswald case is the way the Dallas police have played fast and loose with the various time intervals. There are actually only two firm times: the assassination of the President between 12:30 and 12:31, and the arrest of Oswald at about 2 o'clock.
No one knows exactly when Oswald left the building but it is generally accepted as 12:35 because the first pick-up order went out at 12:36—not because Oswald had been identified, since the pick-up order didn't describe him, but presumably because someone had seen a man leave the surrounded building. I've accepted this time, which puts the lunchroom encounter with the motorcycle policeman at 12:33-34 and leaves, as I've demonstrated in Chapter 3, practically no time for Oswald to have been the killer. If the time is set later (*Time* sets it at 12:40) then, as we shall see, it doesn't leave sufficient time to get to Tippit's death spot. Let us therefore continue with 12:35. Oswald walked east (and one block north) to get on a bus at Griffin Street, seven blocks away. This would take six or seven minutes, so the bus driver's estimate of 12:40 when Oswald boarded the bus is reasonable, though perhaps a couple of minutes on the early side. Let us say, 12:41-42.

The bus route to Oak Cliff would take Oswald back to the scene of the assassination, a peculiar choice for a killer, as we have mentioned, but the bus could only move slowly (reporters of the *Washington Post* refer to "the floundering of the bus in the choked downtown traffic") and a block further it was so caught in the jam that Oswald decided to get a transfer and get off. How long Oswald was on the bus we don't know, but there was a conversation while he was there, he moved to the back, sat down and his ex-landlady had sufficient time to notice how he looked. Enough time had to elapse for him to get impatient, get up, ask for a transfer and get out. All told several minutes—three, four, five . . . who knows? Let us take a minimum of three and add another three for him to walk two blocks south to Commerce Street which parallels Main, look for a taxi, which he found near the Greyhound terminal, talk to the driver and get in. The driver, William Whaley, says his log showed 12:30 but this is a manifest impossibility. With the very tight schedule I've described, I put Oswald in the cab at 12:47-48.

Mrs. Roberts, the housekeeper, at first said that Oswald came in at 12:45. This time, too, was an impossibility and she changed it later to "about" one o'clock. The time that Oswald arrived at his lodgings is vital. If he arrived at six or seven minutes after one, he could not, as I shall prove, have been at the spot where Tippit was killed by 1:15 or even 1:18. As I've said, the official time is given as 1:18 but the *Dallas Morning News* and all the newspapers have given the time as 1:15.

Oswald had asked the taxi driver to take him to 500 North Beckley, which is five blocks from his home. This place is something over three miles from the Greyhound terminal, normally a ten-minute drive, but given the "choked downtown traffic" jam, the extra blocks
and traffic lights to avoid it, it is highly doubtful that Whaley could have made the trip much under 15 minutes. (Minnis and Lynd in the *New Republic* estimate the trip at 24 minutes from terminal to lodgings.) This would have Oswald leaving his cab at 1:02-1:04. *Life* agrees closely with this estimate although it doesn’t give its sources or calculations, and sets the time at “a few moments after 1:00.” Two German magazines, *Der Spiegel* and *Der Stern*, have set the time at 1:08 but I don’t know their calculations or sources either.

Our estimate of 1:02-1:04 for Oswald leaving the cab is probably an underestimate. Oswald had then to walk five long blocks to his lodgings (about five minutes), run in, get his jacket, run out, go to the bus stop—say, another minute. On our tight underestimated schedule, he could not have been at that bus stop much before 1:09. How long he was there we don’t know. That stop was where he usually took the bus to Irving and presumably his impulse was to go to see his family before leaving Dallas. (His reasons for this, assuming he didn’t kill the President, will be discussed in Part II.) How long he debated with himself before he changed his mind we don’t know. We do know he stood there long enough for Mrs. Roberts to think he was waiting for a bus. At some point he walked away.

I have walked, and timed myself, several times from the bus stop to the murder spot. It is a distance of eleven blocks (eight long ones on Beckley and three short ones on East 10th), not “a block or two” as Wade told reporters at his famous press conference. I walked very briskly and it took me between 9 and 11 minutes, depending on my luck with traffic lights. I am considerably taller than Oswald, with a longer stride, and hence probably walk faster. Even if Oswald had been lucky with all the traffic lights, or dodged cars, he still couldn’t have covered the distance in less than ten minutes unless he was running. And why should he run, unless he had an assignation with Tippit? Even assuming that Oswald did not dally at the bus stop but left immediately after Mrs. Roberts stopped looking, he could not have got to the murder spot much before 1:19-1:20. And what about the time for walking up to the car, sticking his head in—and his elbows—talking to Tippit, and Tippit getting out and coming around? Shall we add another 30 seconds, a minute, a minute and a half? We are up to 1:20-1:21; how could Oswald have shot Tippit at 1:18?

I would remind the reader that I’ve squeezed the time against Oswald, for example, taking 12:35 as the time he left the Depository. If he left five minutes later he couldn’t possibly have been at the murder spot by 1:15-1:18 unless the taxi had turned into a helicopter. As it is, any slight addition (an extra half minute making up his mind to leave the bus at Poydras, an extra minute finding the cab at the Greyhound terminal, a half minute musing at the bus stop, a
couple of traffic lights against him), any accumulation of seconds into a couple of minutes would make for a timetable absolutely precluding the possibility of Oswald being at the murder spot at 1:15-1:18.

The official time of 1:18 for the killing has been set by the Dallas police but I don't know what their evidence is. After the killer fled, someone, we don't know who, shouted over the car's police radio: "A policeman has been shot. He's lying out there in the street. I think he's dead." The Dallas papers said this was 1:15 and the Toledo Blade six days later, in an article written from Dallas by two newspapermen, M. W. Newman and Henry Hanson, still put the time of the call at 1:15.

I have taken the lower limits of all time estimates, but the reader may rightly feel sceptical. The hardest element in crime is the precise time when it depends on estimates or individuals' ideas as to what time it was. Even if they looked at a watch, it is not complete proof as the watch may be off. We come now, however, to the absolute clincher in the time of the Tippit murder.

The one, and only witness to the killing of Tippit is Mrs. Markham. She told the police, and informed Mr. Lane about it, that she was the only witness to the shooting. There has been no challenge to her veracity published anywhere. Mrs. Markham has put the time just after 1:06 P.M.! This, she told Mr. Lane, is the time she gave to the authorities in an affidavit for District Attorney Wade's office on November 22, sworn to before Notary Public Robert Wisdom of Dallas. She swore that she was standing at a bus stop at 1:06 when she saw a squad car pull up before 404 East Jefferson Street. She then saw the man who did the killing, "stocky, with bushy hair and a white coat," come up to the parked car, put his head in, arms on the window, and say something. Then Tippit got out and the shooting took place. Assuming a couple of minutes for this sequence the time would be around 1:08. If we remember that a passer-by used the radio in the squad car to give the alert, his alarm would jibe with the newspaper accounts of 1:15 for the call. In any case, if Mrs. Markham's accuracy is impugned, how did the police set the time at 1:18? Her testimony as to time, never released by the police or publicized, is the best available. If it stands up, Oswald could not possibly have been on the scene in time for the murder.

Given the cavalier attitude of the Dallas police toward facts, which I have amply demonstrated in previous chapters, I am highly sceptical of the time of 1:18. I cannot help a suspicion that it was set to jibe with the second pick-up call at 1:15 which followed the roll-call at the depository. This was the only pick-up call that had Oswald's description—the first one was not of Oswald, it was vague: 110
"a white male, about 5 feet 10 inches tall, weighing 160 to 165 pounds, about 30 years old, armed with a .30-caliber rifle," and Time magazine (Nov. 29) had to resort to fiction to make its readers believe Tippit stopped Oswald (which we know he didn't) as a result of this description. Wrote Time, psychically, that to Tippit: "The fellow's height and weight corresponded to the description. He had kinky brown hair, a prominent forehead, thick eyebrows, a crimped, tight mouth, and a defiant air." Time forgot the rifle.

In any case, the accumulation of evidence I've given so far makes it virtually certain, in my opinion, that Oswald did not kill Tippit. I have one further thought which has interesting implications. Mrs. Markham testified that she saw the killer walking east on Tenth Street, toward the police car. Oswald was arrested on West Jefferson Boulevard. Beckley Street is the dividing line between east and west. Oswald would have had reason to turn west from Beckley since in that direction there are highways and in particular U.S. Highway 80 to Forth Worth, where his mother and brother lived. Busses go by at hourly intervals. He would have had no apparent reason to turn east. The area where Tippit was slain is a warren of small streets with not a single highway or major artery leading out of town.

But there is one spot of interest in the East Jefferson district, at 233 Ewing Avenue, a few blocks from where Tippit was slain, and that is the apartment of Jack Ruby, the "police buff" who murdered Oswald. Ruby is a shady, unsavory character—with a police record of arrests for carrying concealed weapons—on the fringes of the underworld, if not in it. His relations with Tippit are well established. The New York Herald Tribune, Dec. 5, carried a story headlined "Ruby Knew Slain Dallas Policeman," which said:

"Jack Ruby, the strip-joint proprietor who murdered Lee Harvey Oswald . . . knew the dead patrolman, J. D. Tippit, well.

"Jack called him buddy," Mrs. Eva Grant, Ruby's sister, told the Herald Tribune in a telephone interview. 'Jack knew him, and I knew him. He used to come into both the Vegas Club and the Carousel Club. He was a fine man.'

"Mrs. Grant said the patrolman . . . visited the clubs in the line of duty. He made routine checks while patrolling a beat. 'We liked him,' she said. 'This one was a very good cop. He was in and out of our place many times.'"

Mrs. Grant's idea as to what constitutes a "good cop" is debatable, and as for Tippit visiting night clubs "in the line of duty," the Herald Tribune story casts doubt on that explanation. It quotes Police Captain Glen King as stating that Tippit had been assigned to the Oak Cliff station since 1956. Ruby's "Carousel Club" is located in downtown Dallas; his "Vegas Club" is at 3508 Oak Lawn in the north-
west part of the city. Both are miles away from Tippit's beat in Oak Cliff.

There are other sources which document Ruby's close relations with the Dallas police. A story headlined "Ruby Often Wined, Dined Dallas Cops" appeared in the New York World-Telegram and Sun on Dec. 4:

"A former Dallas night club operator who says he knows Jack Ruby 'like a brother' has described the killer of Lee Harvey Oswald as a bold publicity seeker who often wined and dined Dallas police officers for his own protection—and ego.

"Ruby always worked the cops," Joe Bonds told the Houston Press, a Scripps-Howard newspaper, from the state prison where he is serving a sentence. Bonds, 53, a former business partner of Ruby, talked freely about their association. 'Ruby used to "fix people up" at the club," said the portly, balding prisoner.

"He always worked the cops. We had a balcony at a club we owned together—the Club Vegas. I remember one time I came in and the curtains were drawn around the balcony and I could hear a lot of people laughing there. Ruby told me there were four detectives up there and some girls. He acted like he had really done something big. He was always trying to make friends. But he always wanted something from them sooner or later. He gave lots of whisky to the cops . . ."

The picture of Ruby's relations with the Dallas police—fixing them up with wine, whisky and girls—and with Tippit—in and out of his clubs all the time—is not an unfamiliar picture in large American cities. It is a picture of a half-underworld of shady characters, of men carrying guns illicitly—and using them. With this picture in mind we can perhaps understand Mrs. Markham's account of a conversation that took a dramatic turn: "all of a sudden they stopped, they looked at each other and he [the killer] pulled out his gun and shot the officer." We can only surmise what went on at that car, and it may have nothing to do with the assassination, but there is one man walking American or foreign streets today who knows the truth. For the killer of Tippit was not Oswald, and the real killer is walking the streets unless he has himself been killed. In this case, his killer knows the truth. The last two sentences are shocking in their implications, but I have written them in all sobriety. Violence is stalking the witnesses in the Oswald case, as we shall see in the next and final chapter of Part I of this book. It begins to look as if Oswald was only the second victim of the assassination—or the third victim if Tippit turns out to be part of the case.
The circumstances surrounding the arrest of Lee Harvey Oswald are as peculiar and suspicious as many of the other events in the crowded one and one half hours of that grim Friday afternoon. One of the most striking of these peculiarities is the fact that not one single moviegoer who saw the arrest of Oswald has come forward to tell his story, or has even been identified by the police. M. Sauvage has published his awareness and misgivings on this subject: "It is hard to imagine that some, at least, of the twenty moviegoers who had just had the adventure of their lives would not rush forward to tell the story of how Lee Harvey Oswald tried to shoot his way out of the theatre." (Some accounts have a dozen moviegoers present.)

If any moviegoer saw that Oswald had no gun in his hand, when the police said he had, the silence would, of course, be understandable. A witness might think twice about contradicting the Dallas police. Not that the police version is itself free from contradictions.

District Attorney Wade has given his version of what happened at his famous press conference. After shooting Tippit, said Wade, Oswald "then walked across a vacant lot. Witnesses saw him eject the shells from a revolver and place—reload—the gun. Someone saw him go in the Texas Theater. A search was made of that later by a number of police officers...."

The impression is created, and was intended to be created, that the killer was seen by witnesses, and recognized as Oswald, from the time he killed Tippit to the time he entered the movie house. This impression is totally and deliberately misleading. We have only to read the account of trained reporters on the scene. They are the three newspapermen, Ewell, Aynesworth, and Rutledge, whom the Dallas Morning News (as we have mentioned) sent out immediately they heard Tippit had been shot. Their story is, as it were, triple-checked, and this is what appeared in the paper on Nov. 23:

"Police converged on the area and trailed the slayer to the 400 block of East Jefferson. They saw him dart between a service station and a drive-in grocery. Police, sheriff's deputies and FBI agents armed with shotguns continued a zig-zag trail westward on Jefferson.

"Then came the report from a cashier at the Texas Theater that
a man acting suspiciously had just entered the movie house . . . ”

Visualize this dramatic manhunt and keep in mind the topography of the district where it took place. And then try to reconcile it all with Wade’s description of a man walking across a vacant lot.

No fewer than three types of different police organizations were involved in the hunt for the Tippit slayer, we have been told. They were chasing the gunman from street to street, from house to house, zig-zag down Jefferson Boulevard. “They saw him dart between a service station and a drive-in grocery.” They were on his heels with drawn pistols and shotguns.

At the same time, however, we are asked to believe that the slayer, according to Mr. Wade, “walked” across a vacant lot, ejecting shells from his gun and then reloading it.

The ejection of the shells, and reloading, by the killer was seen by witnesses, two of whom have been mentioned. A Mrs. Davis said she saw a man doing so while crossing her yard but she couldn’t recognize him. A Mr. Warren Reynolds of the Reynolds Motor Co. told police he saw a man running away and putting new shells into a pistol as he did. He later joined a used car salesman, Ted Calloway, in identifying the man as Oswald.

The incident of ejecting the shells and reloading the pistol by the killer provides one more unwitting proof of the false testimony of the Dallas Police. Before these witnesses had come forward, Captain Fritz had emphasized to newspapermen that there were exactly two empty chambers in the .38 taken from Oswald at his arrest. The reason, as Sauvage points out, is that Fritz thought at first that Tippit had been slain by two bullets and was simply making up evidence to fit what he thought were the facts. When it became known that the killer had reloaded his gun, nothing more was heard of the empty chambers in the .38. How can anyone believe anything the police said, without independent evidence?

This is not a rhetorical question, because there is no other independent account of the arrest except that of the police and D. A. Wade, which, in itself, is contradictory in the extreme.

Wade said: “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 . . . the bullet did not go off . . . we have the snapped bullet there. It was a misfire. Then officers subdued him—some six officers—subdued him there in the theater . . . ”

As usual, Wade’s garbled syntax confused reporters who thought Oswald had put the revolver to his own head. The question was asked: “Was that an attempted suicide, sir?” and Wade replied: “Against the officer’s head.” Asked which officer that was, Wade said that McDonald was his name.
Compare this with the account given by Messrs. Ewell, Aynsworth and Rutledge of Oswald’s capture:

“Policemen entered front and rear doors. Patrolman N. M. McDonald started up the lower floor aisle from the rear door. Only five persons were in the main part of the theater.

“Then McDonald spotted a man sitting on the third row from the back. McDonald said, as he drew close, the man stood up and shouted: ‘This is it!’

“McDonald, when he ran to Oswald, was struck with a fist. Then Oswald made a grab for a gun. (italics mine) McDonald said he rammed his hand into the top of the man’s trousers and grabbed the revolver. He said Oswald pulled the trigger, but apparently the officer’s finger jammed the action and kept the gun from firing.”

Elsewhere, in the same issue of the same newspaper, McDonald is quoted as saying, “He knew what I was there for. He didn’t give too much trouble.” (italics added)

Wade and McDonald flatly contradict each other as to what happened. In addition, one of the officers told reporters that Oswald had pulled the trigger but that he [the officer] had managed to put his thumb in the part before it struck the firing pin. When Wade was asked whether this was true, he said he didn’t know, that “I know he didn’t snap the gun is all I know about it.”

All these contradictions concerning what Oswald did with his gun, or what the officers did with the gun, could be easily resolved by questioning the people who happened to be present. Yet no one has come forward, and we don’t know who they are. There is no independent witness outside the police who can testify that Oswald was carrying a gun when set upon by the police.

A further disturbing item which I have not seen anywhere in the American press should be mentioned. It concerns the misfiring. According to Wade: “It snapped. It was a misfire . . . the shell didn’t explode. We have where it hit it . . .” The first “it” in the last phrase is the firing pin which hit the shell—the second “it”.

According to Der Stern and Der Spiegel, a team of weapon experts sent from FBI headquarters in Washington stated that the firing pin was bent so it could not strike the firing cap on the shell. I haven’t been able to verify this, but if it should turn out to be a fact, then the suspicion immediately arises that the weapon was planted by the police.

Now let us go back for a second look at the chase as described by the three newspapermen and this time consider the topography of the area. The chase converged on the 400 block of East Jefferson, the theater is in the second block of West Jefferson, six blocks away, about a third of a mile. At most of the intersections in those blocks.
there are traffic lights. There is normally a heavy flow of cars and busses along this boulevard and its sidewalks are crowded with shoppers and pedestrians. On that particular day, with the news of Kennedy's assassination broadcast all over, people must have been excited and conscious of anything unusual. We are asked to believe that in these crowded street, a cop-killer actively hunted by policemen, sheriff's deputies and FBI agents armed with shotguns would have covered six blocks and not been noticed.

Yet the plain fact is that no witness has been produced who saw Oswald (if it were he) between loading the gun near the block the murder was committed, and his appearance at the shoe store managed by Mr. John Brewer, which is half a block west of the theater, that is, in the opposite direction from the spot where Tippit was killed. Oswald passed the theatre, then retraced his steps. If he was ducking a hot pursuit why didn't he slip in the theatre as he passed by?

Everything about his behavior would indicate that Oswald did not know he was being pursued for Tippit's murder. It appears that while the real gunman, the bushy-haired, stocky, 30-year-old killer in a white jacket was being chased on East Jefferson, Oswald had been walking from his lodging along Beckley. He turned west on Jefferson to get out of town and out of the reach of the police (for reasons we'll discuss), saw the commotion, heard the police sirens and sought refuge in the nearest place, the movie house.

This, admittedly, is a coincidence, but it is the only coincidence I have come across in the entire case and compared to the odds on such coincidences as the Irving gunsmith, it is not a difficult coincidence to accept. Coincidences do occur.

If it evolves that Oswald and Ruby knew each other (we shall see presently that there is some ground for this belief), then the fact that Oswald was in the general neighborhood when Tippit was slain, may turn out to have a deeper significance.

In recent months there has been a development in the Oswald case which may be purely accidental, yet one cannot help but sense sinister overtones. A witness of the Tippit murder was shot and a girl involved in this affray committed suicide in jail. We are indebted for this knowledge to Bob Considine of the New York Journal American who, with Miss Kilgallen, apparently is resolved not to let sleeping dogs lie. They have been tenaciously digging up clues in the Oswald case without fear or favor.

In the Feb. 23 issue of the Journal American, Mr. Considine, in a report titled "Violent Dallas: A New Chapter," gives details on what happened to Mr. Reynolds, of the Reynolds Motor Co., the man who saw the killer reload his gun. Writes Mr. Considine:

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"Last month Reynolds was locking up his office for the night and had pushed two of the thirty buttons which doused the lights of the establishment when a man rose from behind a filing cabinet and shot him in the temple with a .22-caliber rifle.

"Mr. Reynolds has made a remarkable recovery after the doctors had feared permanent loss of speech.

"A local desperado named Garner was picked up the police after the Reynolds shooting but was cleared. His girl, Betty (Mooney) McDonald, took a lie detector test that helped spring Garner. Two weeks ago she was arrested for engaging in a public brawl with her roommate. Last week she hanged herself in her cell.

"Betty never won any beauty contests, but she always said she had a claim to fame. She had worked as a stripper at a place called the Carousel, Jack Ruby's Carousel."

As we have said, these events may have no significance, or they may have sinister eloquence. Whatever their import, they are in a way symbolic of the unprobed violence that surrounds the Oswald case. Time magazine, which with its fellow traveler Life has led the pack in foisting a version of the Oswald case on the American public which is demonstrably false, is satisfied with pious generalizations. It pontificated, when the Warren Commission was appointed: "The commission has managed to avoid the natural impulse to weave a webwork of sinister motivations and complex conspiracies to satisfy a puzzled nation. Instead, it has found so far that the act was committed by a rootless, aimless, driven young man. It was a bizarre coming together of circumstances that gave Lee Oswald the time, the place, the opportunity to placate the demons that consumed him. Like the act of violence itself, Oswald was a phenomenon of his time."

Perhaps. And perhaps not. Leaving aside the question as to how Time knows on Feb. 14 what the Warren Commission is finding, the dismissal of Oswald as a "phenomenon of our time" does not in fact satisfy the nation. It is a tautology that does not explain; worse, it avoids explanations. If there is one thing which I think has been made plain in these pages, it is that there are a great many explanations due to the American public from the Dallas police, the FBI and, soon, from the Warren Commission. For myself, I was struck by a comment made by Tippit's buddy, Patrolman Anglin, who said of Tippit: "One thing, he didn't die in vain. Had he not stopped that guy the whole City of Dallas might have been wide open by nightfall."

I am sure Mr. Anglin didn't mean his eulogy the way it sounds, but I like to think that perhaps Tippit's murder will be the link that will solve the assassination of President Kennedy. Before this is done, the whole country may be wide open.

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Part Two

Perfect fall guy
Since Roman jurisprudence, two thousand years ago, a basic maxim of criminal investigation has been *Cui Bono?* Who gains? Who stands to benefit from the crime?

That question has not been asked by the Dallas police.
It has not been asked by District Attorney Wade.
It has not been asked by the FBI.
It is not being asked by the Warren Commission, for all one knows at this time.

The first reaction throughout the country, from Chief Justice Earl Warren to small town editor, was unequivocal: the fanatic Right Wing in the nation was responsible—the John Birch Society, the Ku Klux Klan, the White Citizens Councils, General Walker’s henchmen—all those whom Mike Newberry has aptly described as *The Yahoos* (the bestial humans in *Gulliver’s Travels*). The conservative Governor Connally of Texas, himself a victim, voiced the prevailing sentiment when he said from his hospital bed: “We have permitted circumstances to occur where Fascism and extremism have become a fad . . . we all must suffer for the hate and bigotry which permeates the whole society . . . and which manifested itself here on Friday. This was only one facet of it. We see it in the bombing of the five little children in Birmingham . . .”

This was the prevailing national mood at the moment of the assassination and it rested squarely on the Roman maxim: *Cui Bono?* The hatred of Mr. Kennedy by the racists is well known; less well known is the hatred of certain Texas oil millionaires, such as H. L. Hunt, and the hatred of certain military leaders of whom General Walker was only the most notorious. They all feared that Mr. Kennedy, with his test-ban treaty, his neutralization of Laos, his dislike of Latin American militarists, and his quiet feelers towards Castro, intended to put an end to the Cold War, cut back the armaments budget and bring under control the Warfare State—that “military-industrial complex” which President Eisenhower had excoriated, and warned the nation about, in his farewell address.

All these groups stood to gain, or hoped to gain, from President
Kennedy's death. This was so well understood that the attempt by the Dallas police and the FBI to picture Oswald as a Communist fell flat and was immediately discounted by all responsible people including President Johnson. The capture of Oswald and the depiction of him as a psychopath acting on his own, assiduously and artfully cultivated by the Dallas police and the District Attorney, abetted by the press, TV and radio, diverted people's minds from the deeper implications of the assassination. But doubts arose again when Oswald was murdered by the police buff Jack Ruby in the basement of the Dallas police headquarters, while in the custody of the police. A storm of indignation swept the country. A glance at the editorials, columns, letters to the editors which have been gathered and published in a documentary booklet, The Mood of the Nation, shows the depth of the nation's anger and shame. Its essence was summarized in a foreword by H. H. Wilson, Professor of Politics at Princeton University: "Across the country, editors and readers voiced dismay that a country priding itself on orderly administration of justice should experience so disgraceful an episode. Perhaps even more remarkable is the widespread protest that Oswald was convicted by Dallas officials, aided and even inspired by the press, radio, and television, without a fair trial. Many realized that 'the work of a crackpot reflects little on the merit of a nation, but the work of a country's law enforcement machinery reflects a great deal.'"

If this is true of the Dallas police, it is doubly true of the Federal Bureau of Investigation. As has been pointed out in Part I, the FBI has subtly and snidely attacked the Dallas police for their slovenly police work while vindicating their conclusion that Oswald did it, and did it alone. The angered Dallas police are fighting back and this struggle, now breaking into the open, is one of the most important developments in the Oswald case. Facts are beginning to come out which clearly implicate the FBI in a cover-up attempt. We shall present these facts in this section.

As stated in the preface, the major task has been to present those facts, and expose those contradictions which, in my opinion, invalidate the official version of Oswald's guilt. In short, I hope it has been demonstrated to the reader that Oswald was an "impossible assassin." In this second part, I shall present the grounds for my belief that Oswald was a scapegoat, a "perfect fall guy." By its very nature, this section is bound to be somewhat speculative, but it is not set forth lightly. I spin no theories such as the one advanced by one newspaper that President Kennedy was dying of cancer and arranged for his own assassination. I believe there was a conspiracy to assassi-
nate the President, but I make no attempt to guess at its extent or try to fit the vast number of details into a coherent whole.

A book has just appeared in France, published by Julliard, entitled *Les Assassins de Kennedy*, which attempts to give a coherent, detailed picture. It is written by Thomas Buchanan, an American novelist, resident in Paris, who has based his writing on published accounts, except for a brief visit to Dallas. Since he did not have some of the information I now have on the Tippit slaying, Buchanan accepts the shaky story put out by the Dallas police about Oswald, the "cop-killer." Starting out from this false premise, Buchanan goes on to imagine a conspiracy in which Oswald figures as an *accomplice*, alongside of Tippit, and a number of other, unspecified, plotters.

I doubt this. Oswald, as the reader of the present book will be able to judge for himself, had probably nothing to do with the plot against President Kennedy's life. His role in the matter was limited to that of sacrificial scapegoat. As for Tippit, while he may have been involved in the conspiracy—some facts ascertained by Mark Lane point rather strongly in that direction—proof is still lacking at this time that his violent death at the hands of a gunman, who most assuredly was not Oswald, was anything more than an underworld incident.

With a minimum of speculation it is clear that evidence tending to establish the existence of a conspiracy is recurrent throughout Part I. I should like to recapitulate briefly nine of the weightier factors:

1) The repair ticket, bearing the number 18374 and made out to a customer named "Oswald," which the Irving gunsmith produced from his records. (See chapter 8) Unless and until the police produce this other "Oswald" with his rifle and the telescopic sight fitted by the gunsmith, the ticket is hard evidence of a plot.

2) The strange happenings at the Sportsdrome Gun Range (Chapter 8), where two solid citizens identified a man (who made it easy to be remembered) as Oswald when we know it couldn't be Oswald by the inescapable fact that Oswald couldn't drive a car. The events, staged five days before the assassination, seem clearly to be clues planted against Oswald.

3) The absence of Oswald's name from the FBI list of individuals to be kept under surveillance. A deputy sheriff was reported to have said "you just wouldn't think to check out one of your own stoolies." (Lonnie Hudkins in the Houston Post, Jan 1, 1964).

4) Mrs. Markham's description of the killer, which does not fit Oswald, and her affidavit to the police that the time at the be-
ginning of the murder sequence was 1:06 (Chapter 11).

5) The fact that Oswald was never seen carrying a pistol, and the contradictory accounts of the police at the time of his arrest, seem to suggest the gun was planted on him (Chapter 12).

6) The double detour which placed the President in a crossfire ambush, and virtually guaranteed its success (Chapter 1).

7) The still unexplained premature alert of Sheriff Bill Decker, and Police Chief Curry's uncanny capacity to tell the direction of sound (Chapter 2).

8) The fact that Oswald, a suspicious character (renegade, traitor, self-professed Marxist and Castro follower) should have been allowed by the FBI to keep his job at the Depository, and the fact that his job in "the ambush building chosen with care" was not of his seeking (Chapter 2).

It should be noted that Mrs. Paine has not received the attention she should have from newspapermen and investigators. Her "kindness" is rather remarkable. Twice she drove the Oswalds from Dallas to New Orleans, a total of 2,000 miles, a lot of mileage even for Texas. And, after all, she did get him the job. This doesn't necessarily incriminate her personally, but it provides a lead for minute investigation to see whether the job was eased towards her the way a card sharp "forces" a card on his victim. We shall return to this point later.

9) Taken as a whole, however, the most suspicious evidence tending to prove conspiracy is the behavior of the Dallas police, the Dallas District Attorney and the FBI, who unquestionably have created the myth of Oswald as the lone demented killer. This implies a cover-up of major proportions, which strongly suggests the existence of a conspiracy that needs covering up.

The nine points mentioned are far from all the evidence but they do have a great cumulative impact. Furthermore, as all investigators know, if in any instance we catch our quarry in a flagrant lie, or series of lies, we have the opening to find the truth. This is happening in the case of the FBI. As has already been pointed out, the Dallas police and the FBI are now feuding, and some of the beans are spilling. The Dallas Assistant District Attorney, Bill Alexander, leaked to the press many of the details we have about Oswald's relations to the FBI—details which tend to show Oswald as an FBI informer.

But the most deadly blow struck by the Dallas police, which stung J. Edgar Hoover into a heated denial, was the accusation that the FBI not only knew Oswald well, but, in fact, knew him so intimately as to be able to predict his actions. In April, 1964, Lieutenant Revill of the Dallas police told the Warren Commission that FBI
agent Hosty had told him on the afternoon of the assassination that “We [the FBI] knew he [Oswald] was capable of assassinating the President. As we shall see in Chapter 16, the lieutenant’s action has all the stigmata of a carefully conceived operation against the FBI by the Dallas police.

The repercussions of the feud were just sinking in when, a month later, a new revelation took place designed to clear the police and put the FBI on the spot. It was this veritable bombshell:

The story inside, by reporter John Henshaw, stated that Ruby and Oswald had been working together for the Central Intelligence Agency. The fact that Oswald and Ruby knew each other is, of course, extremely important, and there had been rumors that a man named Bill De Mar had said that he had seen the two together at Ruby’s nightclub. An Enquirer reporter traced Bill De Mar to an Evansville, Indiana, night club on April 11 and he confirmed the story. He
added "I gave the FBI a statement about seeing Oswald in the club and that was it. I told them the same thing I'm telling you. I signed it and have heard nothing more about the incident to this day."

Bill De Mar is a man who was in a position to know what he's talking about: under the stage name of Bill Crowe he was master of ceremonies at Ruby's club, the Carousel.

The *Enquirer* story goes on to say that the Dallas police suspected Oswald and Ruby of being involved in an attack on General Walker, and was going to arrest the two when the FBI intervened and asked the police not to do so for "reasons of state." The police agreed only upon receipt of an official communication from the FBI.

While the *National Enquirer* is not the most reliable newspaper in the world, the story bears inner marks of authenticity because the recipient of that FBI letter was, of course, Chief of Police Curry, who leaked it to reporter Henshaw. The Dallas police, it appears, are not going to be the scapegoats for the FBI.

For our purposes, the most important part of the story is the allegation that Ruby and Oswald were CIA agents. The story also asserts that it was the CIA which got the FBI to intervene with the Dallas police.

This would explain why the FBI might be involved in the cover-up attempt without necessarily being in complicity on the assassination. To be protecting the CIA would make plenty of sense, because the FBI and the CIA share a common political conservatism and pro-Cold War policies. Their joint work on various projects (the Bay of Pigs, for example) has been one of the most sinister developments in the U.S. Government since World War II.

During the war General William J. Donovan, who headed the O.S.S., the forerunner of the CIA, strongly insisted on keeping the FBI at arm's length. This was in part due to his contempt for J. Edgar Hoover and his distaste for Hoover's bureaucratic empire-building, but it was also a principled awareness that the conjunction of these two agencies might be dangerous to American freedoms. Under Allen Dulles this principled position eroded, and by the time of the fiasco of the Bay of Pigs invasion, the two agencies were closely co-operating. If our suspicions are right, that the CIA was involved in the conspiracy and used the unsuspecting Oswald as a fall guy, America may be paying a heavy price for not following Donovan's example of keeping the two agencies apart, or by ignoring his judgement of J. Edgar Hoover.

There is a considerable amount of evidence to show Oswald was a CIA agent, and we now turn to it.
Events may prove that the sanest evaluation of the strange career of Lee Harvey Oswald was made by an anti-Cuban exile leader named Carlos Bringuier.

The Feb. 21 issue of *Life* relates the details of Bringuier's encounter with Oswald in New Orleans on Aug. 5, 1963: "Binguier, a lawyer who fled Cuba in 1961, said Oswald came into the store he manages, introduced himself as an ex-Marine, and said he had the training to fight Castro. He asked for information about the Directorate [Binguier was the New Orleans delegate of the Miami-based Cuban Student Directorate] and gave Bringuier his *Guide Book for Marines*, which includes instructions in guerilla tactics.

"Binguier rejected his offer of aid, but kept the guidebook, which had the name 'Pvt. Lee H. Oswald' inside the cover. 'I was suspicious of him from the start,' he said. 'But frankly I thought he might be an agent from the FBI or the CIA trying to find out what we were up to.'" (italics added)

Four days after this encounter, Bringuier was tipped off by a fellow Cuban that there was a man on Canal Street distributing "Communist propaganda," which read 'Viva Fidel,' and 'Hands Off Cuba.' "Binguier went over and saw the ex-marine who had offered up his life to fight Castro! One can imagine Mr. Bringuier's reaction at finding that his suspected FBI-CIA agent was, to all appearances, an undercover agent for the Communist Party. He recalls the episode for *Life*:

"I went down there and found out it was the same guy who had come to see me. He tried to shake hands with me but I refused and called him a traitor. We started arguing. A crowd gathered to watch us. I told them, 'You see, this fellow is a Communist. He wants to do to your country what he has done to us in Cuba.'

"'The Americans started shouting at him: I grabbed his propaganda and threw it on the sidewalk. I was so angry I wanted to hit him. At first he had his hands up, then he dropped them and said 'Okay, Carlos, go ahead and hit me.'" (italics added)

By now, Carlos Bringuier's confusion must have been total. Having revised his first impression (that Oswald was a CIA-FBI
agent) to accord with the sidewalk reality (that Oswald was an undercover agent for the Communist Party), he vents his fury by grabbing Oswald's Communist propaganda, and throwing it to the ground, only to find that his mortal political enemy wants to shake hands and then says familiarly, “Hit me, Carlos,” as if he agreed with the Batistiano. Bringuier knew this was not the behavior of a Communist. So what was Oswald? How to explain his behavior?

It is understandable by a simple premise: Oswald was a CIA agent who couldn’t “blow his cover.” Bringuier was right about the first encounter, and Oswald, of course, couldn’t explain the second.

Is there any hard-core evidence to bolster the assumption that Oswald was in the employ of the CIA? Evidence which seems incontrovertible arises out of his activities all that summer. It was during this summer of 1963 that he became a self-proclaimed “chairman” of the Fair Play for Cuba Committee in New Orleans (where, incidentally, the Committee had no chapter, and therefore, no chairman). On June 24, at the height of his militant agitation for Castro, Oswald applied for a new passport, listing his proposed itinerary as England, France, Germany, Italy, Finland, Poland, and the Soviet Union.

What happened to the application of this known defector, who had praised Castro on a radio program, and who now openly propagated for the Fair Play for Cuba Committee?

*What happened was that his passport application was forwarded from New Orleans by teleprinter and granted within 24 hours! On June 25, the passport was issued to him.*

Normally it takes from 3 to 10 days to get a passport. Further, Communists or suspected Communists—which a defector to the Soviet Union would certainly be—are on a special list, and all passport applications are automatically checked against this list. Also as the *New York Times* explained at the time:

“Passport applications warn that it is illegal for a member of the Communist party to apply for or to use a passport. The applications also require the applicant to swear that he has not been a member of a Communist organization for 12 months or ‘ever sought or claimed the benefits of the nationality of a foreign state.’” (italics added)

Whatever else Oswald did or didn’t do, he was certainly on record as having “sought or claimed the benefits of a foreign state.”

As the Nov. 29 issue of *Time* records, he defected in 1959, and “At the American embassy, Oswald announced that he meant to become a Soviet citizen, swore out an affidavit which said: ‘I affirm that my allegiance is to the Soviet Socialist Republic.’”
That a man with this background could be awarded a passport at all—much less in 24 hours—is I submit, irrefutable evidence that Oswald's pro-Communist activities were known and "understood" by the authorities. There is no other possible explanation for the phenomenal dispatch with which this known defector was granted a passport.

Another puzzling aspect of the proposed long trip was money. Oswald at this time was virtually penniless. In the five months he lived in New Orleans with his family (May through Sept., 1963) he worked for only a few weeks at one low-paid job. Where did he get the money for his household expenses, his Fair Play for Cuba office expenses, his trip to Mexico, his proposed travels?

As Harold Feldman, writing in the Jan. 27 issue of the Nation, has said: "If there is anything constant in Oswald's life it is his need of money." Yet we know that in 1959 he went to Russia with a capital of $1,600.00. Where did he get this substantial sum? Oswald's ready access to substantial sums for trips, and little money for personal needs, is typical of a minor agent. When he came back to the United States, in May, 1962, he had to borrow $435.71 from the U.S. Embassy in Moscow. Within four months he repaid this "debt" although he was at the time either unemployed or doing unskilled low-paid work.

Back in New Orleans, Oswald, as Feldman has pointed out, "finds the money to rent an office for $30 a month [for the Fair Play for Cuba Committee], buys a rubber stamp, prints 2,000 leaflets, pays a $10 court fine, buys a rifle and a telescopic sight by mail." After the assassination, the police also found $150 and, according to police reports, "several expensive cameras and rolls of film."

"Where did the money come from?" asks Feldman, and comments:

"The FBI and the Dallas police fail to supply any information on the subject. For the Russian period, we have the unsupported assertion of Pravda that Oswald was an American spy who made numerous contacts with the American embassy. This might indicate a CIA affiliation." (italics added)

This theory is gaining ground in many quarters. It was voiced by Miss Pauline Bates, a stenographer who three days after his return to the U.S., typed Oswald's notes for a book about Russia. Miss Bates has said that "he hinted he had gone to the Soviet Union as a U.S. secret agent."

One of the most important pieces of evidence which points to Oswald's having been a CIA agent is that his so-called "defection" to the Soviet Union was never taken seriously by the three parties con-
cerned—not by the Soviet government, not by Oswald, and not by the U.S. government. This is obvious from the history of the event, both before and after his turncoat act.

Oswald turned up in Moscow on Oct. 13, 1959 (no one seems to know his exact travel route from New Orleans). At the passport control, he listed his occupation as “shipping export agent.”

On Oct. 31, he appeared at the United States Embassy in Moscow, melodramatically slapped his American passport on the desk of a vice-consul and announced in a loud voice that he was “through.” There promptly appeared on the scene an American correspondent, Aline Mosby, of UPI, to interview the “defector.”

In the course of that interview, Oswald stated that he had been a Communist “since the age of 15.” He also said, “Then we moved to North Dakota and I discovered one book in the library, Das Kapital.” That was a demonstrable lie, for the Oswalds never lived in North Dakota.

Even the language of the interview betrays Oswald’s masquerade as a pro-Communist. He said, for example, “I found some Marxist books on dusty shelves in the New Orleans library and continued to indoctrinate myself for five years.” (italics added) Leaving aside the note of contempt in “dusty shelves,” as if no one read Marxist books in New Orleans (which may be true, but hardly something to emphasize), who ever heard a Communist say that he “indoctrinates himself”? It is, in this context, a derogatory word, implying brainwashing, and more likely to be used by anti-Communists. A Communist would say of himself that he “studied” Marxism. Further, the interview has an intriguing time aspect: Oswald’s discovery of Das Kapital at 15 and his self-indoctrination for five years. Since he was 17 when he joined the Marines in October, 1956, he must have continued to “indoctrinate himself” throughout his three-year hitch in the Corps. That in the McCarthy era a young private in the Marines could study Marxism, learn Russian, and read Soviet newspapers without any adverse repercussions is a little too much for even the most naive person to accept. And in these matters the Soviet government is hardly naive.

That the Soviet authorities suspected Oswald from the start is clear. Despite the fact that on Nov. 2, 1959, Oswald formally renounced his U.S. citizenship and signed an affidavit in Moscow declaring: “I affirm my allegiance to the Soviet Socialist Republic,” the Soviet government refused to grant him Soviet citizenship, and sent him off to work in a radio plant in Minsk as an unskilled hand at the lowest pay rate, although he qualified as a trained radar and electronics technician. His pay, under Soviet conditions, meant a skimpy kind of life indeed.

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If the Soviet authorities didn’t take Oswald’s renunciation of citizenship seriously, Oswald didn’t either. He wrote Senator Tower, “I am a citizen of the United States of America.” He wrote Governor Connally, then Secretary of the Navy, protesting his undesirable discharge from the Marine reserve, saying that he was a “bona fide” U.S. citizen and ex-serviceman,” that “I have and have always had the full sanction of the U.S. Embassy in Moscow, USSR and hence the U.S. Government” (italics added) and that “The U.S. Government has no charges or complaints against me.”

This last statement is literally, and suspiciously, true. This defector, this Communist, this traitor, not only had his citizenship reinstated and a loan given to come back to the land he had betrayed, but he was never indicted or prosecuted, although he had presumably handed over to the Russians top-secret military information of the most vital kind. Incredible? Yes, but this is the record, vouched for by Oswald’s military superior and supervisor, Lieutenant John E. Donovan, now a civilian physics instructor at Ascension Academy, Alexandria, Virginia. Lieutenant Donovan is quoted in the New York Times, Dec. 5, 1963, about the grave consequences of Oswald’s defection:

“That compromised all our secret radio frequencies, call signs and authentication codes. He knew the location of every unit on the West Coast and the radar capability of every installation. We had to spend several thousand man-hours changing everything and verifying the destruction of the codes. Oswald was a very unpopular man that month.”

This statement clearly shows that Oswald was engaged in top secret work. Had he been a genuine defector, had he really betrayed to the Soviets all those radio frequencies, call signs, authentication codes and locations of radar units, then he certainly would have been liable for immediate prosecution and the stiffest penalties after his return to the United States in 1962. Yet he was never arrested or prosecuted for this alleged treason. Why not? The answer is obvious: because the whole “defection” was a smokescreen.

Lieutenant Donovan, incidentally, is also the authority for the fact that Oswald publicly “read a Russian newspaper he used to get,” and “spent a lot of time studying the Russian language.”

There is no question in my mind that Oswald was a minor CIA agent. The solicitude of the U.S. Government, so notoriously harsh on Communists, in not prosecuting Oswald for betraying military secrets, and in giving him a second passport in 24 hours, is for me quite sufficient proof.

There are many other scattered indications, some more explicit than others, which support this belief. For example, Oswald ob-
tained a hardship release from the Marines to help his sick mother who was almost destitute. By the time he got out she was no longer ill, but was still quite poor. Nevertheless Oswald decided to go on a ship, and left his mother with the impression that he was going to work on the ship. She said he told her: "I'll see a lot and it's good work." In fact, he boarded a ship in New Orleans as a passenger equipped with a 30-day tourist visa. Was the "good work" CIA work? Did the many hundreds of dollars for the trip come from CIA funds? He wrote his mother as he sailed that he was going to Europe (not the Soviet Union), and said that "I did not tell my plans earlier because you could hardly be expected to understand." Why not, if it was an open, legitimate job?

When he was about to return, two years later, Oswald wrote his mother that he was looking forward to seeing her and would come right to Texas but "would stop for a day or so in Washington." What for?

Other strong evidence that Oswald was working for the U.S. government as an informer and agent provocateur arises out of his activities around Cuba with which we opened this chapter. When Oswald couldn't get into the anti-Castro movement as a CIA spy, he attached himself to the Fair Play for Cuba Committee. The correspondence with the FPCC headquarters in New York gives many suspicious clues.

In one of the six letters which Oswald wrote to the Fair Play for Cuba Committee, and which were released by its national director Vincent Theodore Lee, on December 7, 1963, Oswald admitted that he had "jumped the gun on the charter business," by setting up an FPCC local in New Orleans, without the sanction and against the statutes of the national organization (which required at least five executive officers for a chapter).

Oswald's FPCC was a one-man show from beginning to end which he ran according to his whim, or instructions from above. Once he wrote to Mr. Lee that he had devised a circular of his own and added, "you may think the circular is too provocative, but I want it to attract attention, even if it's the attention of the lunatic fringe." (italics added)

Note again the impossible, self-betraying terminology. Would a genuine Castro sympathizer say of himself that he is seeking to attract the "lunatic fringe"?

On August 1, Oswald wrote to New York about some trouble he had incurred with exile "gusanos" (worms) and added, "this incident robbed me of what support I had leaving me alone."

In another letter, 12 days later, he reported: "I am very glad
I am stirring things up and shall continue to do so.” And on Aug. 17 he wrote, “...things have been moving pretty fast. On Aug. 16th, I organized an FPCC demonstration of three people...” (italics added)

On June 24, the height of these noisy, and public, pro-Castro affrays, Oswald applied for a new passport, falsely stating on his application form that he was a commercial photographer. He also gave a false address; and listed his proposed itinerary as England, France, Germany, Italy, Finland, Poland and—the Soviet Union! This is the passport he got in 24 hours. As already noted, where did Oswald get the money?

Many readers will be puzzled as to why, if Oswald was on the government payroll, he should be always so poor and have to take jobs at $1.25 an hour as he did at the Book Depository. The answer is, as insiders know, that both the CIA and the FBI are very stingy with their small-time informers. Oswald was not a top-drawer operative, or even a middle-drawer one. He could not have been trained for any length of time in CIA schools (he sailed soon after his discharge) and he was easily spotted in the Soviet Union, which promptly sent him to Minsk. He probably drew the attention of Marine Corps counter-intelligence for his study of Russian, was interrogated, found safe in his ideas and passed on to the CIA, which, while careful in its infiltration of top agents, also uses a mass scatter approach of small-time operators as “students,” “tourists,” “defectors,” etc., in the hope that a few will get by.

The moment the CIA representative in the U.S. Embassy in Moscow saw that Oswald had been “sterilized” by being shipped off to Minsk, they lost all interest in him. In common with most intelligence agencies, the CIA and the FBI are very callous about their “expendable” agents, and any CIA help to Oswald might only confirm Soviet suspicions.

From the Soviet side, they probably weren’t absolutely sure he was an agent (otherwise they wouldn’t have allowed Marina Oswald to leave with her husband), but neither were they willing to take any chances, which is why they stuck him out of the way. Alternatively, it is not impossible that Marina is a Soviet counter-agent, who has now defected to the United States. This would account for her compliance in being held incommunicado for such a long time, her compliance with the official version in her testimony to the Warren Commission (as indicated by leaks in the newspaper) and her television appearance in which she asserted Oswald’s guilt. In view of all the facts presented in this book so far, her television appearance was a peculiar performance. She said too much in asserting guilt; she said too little in contributing evidence of that guilt.
Whatever the truth about Marina, the Soviet Union didn’t make it easy for Oswald to get back to America—less easy, in fact, than did the State Department. Oswald’s letter to a Texas Senator is eloquent on this aspect: “I beseech you, Senator Tower, to raise the question of holding by the Soviet Union of a citizen of the United States against his will...” (italics added)

The inner details and circumstances can probably only be answered by an examination of CIA files, but Oswald’s connection with the CIA is, I think evidentially more than a surmise.

Mrs. Marguerite Oswald, whose staunch defense of her son belies the portrait of an unfeeling, harsh mother drawn by facile psychiatrists, has given her opinion on this matter of her son’s relations with the CIA. After showing considerable restraint at the provocative stories about her faults as a mother, she told the Warren Commission early in February that she believed her son was an agent of the CIA. She reaffirmed this belief in a press conference and in a talk she gave in New York before 5,000 people.

If this statement were unsupported by any other evidence, one might well feel inclined to dismiss it as the hallucination of an aggrieved mother. Coming as it does in the wake of substantial evidence, it has undeniable weight.

The Enquirer story that the CIA got the FBI to protect Oswald from the Dallas police prior to the assassination cannot be dismissed as sensationalism. It gains credibility from the recital of the facts in this chapter. That credibility will be sharply increased as we look in the next chapter at Oswald’s relations with the FBI.
The minimum, and demonstrable, charges against the Federal Bureau of Investigation in the Oswald case are dereliction of duty, bungling of investigation, and a systematic cover-up of the evidence supporting these charges. They constitute more than ample grounds for the dismissal of Mr. J. Edgar Hoover and for a thorough investigation of his agency by an independent public commission. The key question of a modern state is here involved: *Qui custodiet custodes?* Which, freely rendered, is: Who watches the cops?

The charge of dereliction of duty rests squarely on one established fact, admitted by the FBI: the omission of Oswald's name from the FBI "risk" list given to the Secret Service. The *New York Times* (Dec. 10, 1963) states: "The Federal Bureau of Investigation gave the Secret Service a 'risk' list of Dallas individuals in advance of President Kennedy's fatal trip, but the list did not include the name of Lee H. Oswald. . . . Oswald was not under surveillance by the FBI at the time of President Kennedy's visit to Dallas, Nov. 22, the FBI noted . . . ."

The testimony of an expert points up the gravity of the FBI's dereliction, as well as its rarity. U. E. Baughman, former Chief of the Secret Service, who guarded Presidents for 13 years, gave an interview to the *U.S. News and World Report* (Dec. 23, 1963) which, while diplomatic in language, is uncompromising in content.

*Question:* In the case of Dallas, was it the FBI's duty to investigate all suspicious characters who might threaten the President?

*Answer:* They would just report them to us and the local police.

Q — If Oswald had been reported by the FBI to the Secret Service, would he then have been under surveillance by local police or the Secret Service?  
A — He should have been.

Q — With Oswald's record, would you have expected him to be reported as a potential suspect?  
A — All I know is that he was supposed to be a pro-Communist and a Castro sympathizer.
Q — Is that the type of person you would have checked up on before the President’s visit, if you had been in charge?  
A — Oh, yes.
Q — Was the information available about Oswald ever called to the attention of the Secret Service in Dallas?  
A — I don’t know. *I understand it was not...*  
Q — Apparently Oswald was under no surveillance —  
A — That’s the way it looks.
Q — Do you agree with those who say his record as a defector to Russia, plus his Castro activities, should have made authorities suspicious?  
A — *That’s right...*” (italics added)

Mr. Baughman’s expert opinion was echoed by several commentators. Typical are Mr. Feldman’s remarks in The Nation: “Lee Oswald, the twice-court-martialed Marine who defected to Russia and renounced his American citizenship, the pro-Cuba activist who had been arrested a few months earlier while distributing leaflets, this erratic ‘Marxist’ who was employed on the route of the President’s motorcade—Lee Oswald did not qualify for the FBI’s exclusive ‘risk’ list. And why?”

The Times, in the story quoted earlier, gives the FBI’s excuse: “Months of checking by the FBI had indicated that Oswald was neither a spy nor a saboteur. That, it was said, covered the statutory area of FBI responsibility.”

Comments Feldman: “This sudden legalistic attachment to its self-interpreted ‘statutory’ obligations must cause wry smiles indeed among the many individuals and organizations (including the NAACP and the Unitarian Church in Texas) which have come under the beady-eyed surveillance of the Federal Bureau of Investigation.”

The excuse is the more improbable, since the FBI had been in contact with Oswald over many months prior to the assassination, and as we shall see, knew him thoroughly. But what began as dereliction of duty developed into a systematic cover-up, climaxed by the shocking collusion of the FBI with Ruby’s defense attorneys. *The FBI made a deal with Ruby’s lawyers,* thereby acting against District Attorney Wade and the Dallas police. This incredible fact was revealed by Dorothy Kilgallen in a courageous article in the New York Journal American, on Feb. 23, 1964. Under the headline: “G-Men ‘Deal’ With Defense Keeps Oswald in Shadows,” Miss Kilgallen writes from Dallas:

“One of the best kept secrets in the trial at Dallas of Jack Ruby, 52, for the murder of President Kennedy’s alleged assassin, Lee Oswald, is the extent to which the Federal Government is co-operating
with the defense . . . providing the case with the one dramatic element it has lacked: mystery. . . . The Federal Bureau of Investigation provides Ruby's side with reams of helpful information that they never would have been able to get without the G-men—on the condition that they do not ask anything at all about . . . Lee Harvey Oswald." (italics added)

This cover-up, says Miss Kilgallen, is even more sensational than the killing of Oswald while in police custody, and she goes on to make a devastating charge:

"It appears that Washington knows or suspects something about Lee Harvey Oswald that it does not want Dallas and the rest of world to know or suspect . . . Oswald has passed on to the mysterious realm of 'classified' persons whose whole story is known to only a few Government agents. . . . Why is Oswald being kept in the shadows, as dim a figure as they can make him, while the defense tries to rescue his killer with the help of information from the FBI? Who was Oswald, anyway?" (italics added)

This monstrous collusion clearly requires the fullest investigation by the Warren Commission. Miss Kilgallen gives specific dates and actions to be checked:

"The indisputable fact remains that on Jan. 9, a perspicacious and daring defense attorney, Mr. Joe Tonahill of Jasper, Texas, dashed off a letter to Mr. J. Edgar Hoover. . . . He requested Mr. Hoover . . . [furnish] 'All the reports and minutes and evidence' in the possession . . . of the Warren Commission.

"He [Tonahill] probably expected a rebuff . . . but what he got was pure gold. On Jan. 28, Mr. Herbert J. Miller, the Assistant Attorney General responded to the messages. He informed Mr. Tonahill that (it was unusual, to be sure) the FBI would be instructed to turn over to the defense" a whole host of information about Ruby, but "information concerning Oswald's assassination of the President will not be available as it does not appear to be relevant." (italics added)

"Say that again, slowly," says Miss Kilgallen. "Information concerning Oswald's assassination of the President will not be available. Perhaps it is dramatizing to say there is an Orwellian note in that line. But it does make you think."

It certainly does, and Miss Kilgallen has underlined what we should think about: what does the FBI know about Oswald that it doesn't want the rest of the world to know?

By FBI we mean specifically J. Edgar Hoover, who is in full control of the Oswald case. According to the Christian Science Monitor, Dec. 2, 1963:
"The Dallas investigation now is under the full direction of the FBI. Probably half a hundred FBI agents are in the area checking into the actual killing of the President and the subsequent killing of Oswald. All questions to the local office of the FBI are met with the customary answer that information will have to come from the office of J. Edgar Hoover..." (italics added)

What does Mr. Hoover know that he doesn’t want the American public to know? The *Enquirer* alleges that Mr. Hoover knows that Oswald was a CIA agent and that he sent a letter to Police Chief Curry to protect Oswald from arrest prior to the assassination. That there is much about Oswald in the FBI files was inadvertently revealed by the agency in the process of exculpating itself from the charge of dereliction:

"An official source explained today that Oswald’s name, like many others in the Dallas file [risk list] had been omitted because the FBI found nothing in Oswald’s background to mark him as a potential assassin..." *(New York Times, Dec. 10).*

In flat contradiction, Lieutenant Revill of the Dallas police has told the Warren Commission that FBI agent Hosty had said on that tragic Friday: "We knew he [Oswald] was capable of assassinating the President."

J. Edgar Hoover immediately issued a denial: "This is absolutely false. The agent made no such statement and the FBI did not have such knowledge." Unawed, Lieutenant Revill refused to back down and offered to go into court. As head of the criminal intelligence section of the police, he had, in line of duty, given a memorandum on Hosty to his Chief of Police, Curry, and that memo is now in the record.

The Associated Press dispatch from which these facts are taken states: "The Dallas Morning News reported that Curry 'was said to have given the commission a photostatic copy of Lt. Revill's five-paragraph memo.'

"Of [FBI] Agent Hosty, Revill said: 'He was excited, everyone was excited and he probably said some things he shouldn't have. My statement will stand... If it boils down to a swearing match, I had one of my men with me who can confirm what Hosty said. They can believe me if they want to, or not if they don't—I'm on the record." (italics added)

That a mere police lieutenant should have the courage to imply Mr. Hoover is a liar is nothing short of miraculous, but his courage becomes understandable when we recall that the Dallas police has been defending itself from FBI charges of slovenly police procedures which resulted in giving the evidence, in *Life*'s words, "an incredible
bush-league battering around." Refusing to be made a scapegoat, the Dallas police is fighting hard and in the process the public is getting some damning facts about the FBI. When thieves fall out, honest men get their due is an ancient maxim and we are seeing its application in the case of the Dallas police and the FBI. It is probable that Miss Kilgallen's lead on the FBI-Ruby defense deal came from the Dallas police, and it is virtually certain that the leak to the *Enquirer* came from Curry himself.

The most revealing light on the relations of Oswald with the FBI came from the Dallas law enforcement officials, when they hinted that Oswald was an FBI stool-pigeon. An anonymous deputy sheriff slyly gave Lonnie Hudkins of the Houston *Post* (Jan. 1, 1964) this reason for Oswald's absence from the FBI risk list: "you just wouldn't think to check out one of your own stoolies." It was Assistant District Attorney Alexander who told reporter Hudkins that Oswald had been in close touch with Joseph Hosty, the FBI agent in Dallas: "Oswald had Hosty's home phone, office phone and car license number" in his address book when he was arrested. Oswald's mother told reporters that an agent named Hosty had come to the house and took Oswald out to his car where they talked for a long time. (Philadelphia *Inquirer*, Dec. 8)

The day after the assassination Police Chief Curry told a reporter he had information that the FBI had seen Oswald on Nov. 16, less than a week before Kennedy's death. Curry, however, withdrew his statement almost immediately (New York *Journal-American*, Nov. 29)

That the FBI knew all about Oswald from Mrs. Paine is documented in the Dallas *Times Herald* of Dec. 7:

"In Irving, Texas, Ruth Paine . . . said the FBI had known some time after Oct. 16 that Oswald was working in the Texas School Depository. . . . Mrs. Paine said she told the agents that Oswald had rented a room in Dallas and worked in the book depository." (italics added)

The Dallas law enforcement agencies have made it plain that they think Oswald was an FBI informer. The Philadelphia *Inquirer*, Dec. 8, printed a dispatch from Dallas that said "the Federal Bureau of Investigation tried to recruit Oswald as an undercover informant in Castro groups two months before Mr. Kennedy's death." The dispatch goes on to state its authority: "The FBI attempt to recruit Oswald as an informant, an informed law enforcement source said, was made in September, just after he had moved to Dallas from New Orleans." (italics added) Asked to comment on the Dallas deputy sheriff's charge that Oswald was an FBI "stoolie," District At-
torney Wade said: "It may be true, but I don't think it will ever be made public if it is." This statement of Wade, quoted by Hudkins, gains added significance when we recall that Wade is a former FBI agent and would be expected to dismiss the charge in a more positive, if not indignant, manner rather than by such a mild, equivocal answer.

It seems highly probable that Oswald was an FBI informer and agent provocateur. Feldman in the Nation reports that seven metal file boxes, filled with names of Castro sympathizers, were found in his lodgings after his arrest. This is a lot of names for a man who, by his own admission, could only get three people to a meeting. How did he manage, in so short a time, to compile so extensive a list? Working with and for the FBI, Oswald's achievement becomes understandable. Further, he received small amounts of money regularly. An Associated Press dispatch from Dallas, Nov. 30, states:

"Someone telegraphed small amounts of money to Lee Harvey Oswald for several months before the assassination of President Kennedy, it was reported today" the Dallas Times Herald said. The unidentified sender telegraphed Oswald $10 to $20 at a time."

Mr. Feldman, who has pursued Oswald's connections with the FBI, points out that the FBI has been very secretive about the Western Union items. If the money came from left sources, the FBI would certainly stress the fact. If it came from right-wing sources, the FBI would not have too much to lose by revealing them. "But," concludes Feldman, "if the money came from a government source, then the agency's reticence is understandable." And where did the money come from for his trip to Mexico City where he went to get a transit visa to Cuba?

Oswald must have felt that he pleased his employers (seven files of names!), for shortly before the assassination, according to Mrs. Paine, he seemed to be expecting better things! "Oswald told his wife 'things were looking up' and that soon they would have enough to look for an apartment, buy furniture." (Philadelphia Sunday Bulletin, Dec. 15)

Mr. Feldman documents another small bit of evidence:

"If the FBI did not employ Oswald or work with him, then who wrote the letters addressed to the Fair Play for Cuba Committee in New York? Whoever wrote the letters to New York was coherent, commanded a good vocabulary, rarely misspelled a word, and punctuated decently. Oswald himself wrote English that a sixth-grader would blush to acknowledge." Mr. Feldman then amply proves his point by comparing one of the letters to Oswald's mother, written from the Soviet Union, with one of the letters written to FPCC in New York and concludes:
“Until the authorship of the letters to FPCC is settled, I think it reasonable to suppose that Oswald did not compose them, at least not without help. Who, and where, is the invisible scribe? No associate of his New Orleans period has been found or even hinted at. If Oswald was employed by the FBI to operate in ‘Castro groups’ as the news report suggests, it is also reasonable to suppose that in the letters to the FPCC his pen was guided by the FBI.”

It should be noted that there is no contradiction between Oswald having been a CIA agent and becoming an FBI informer. In matters relating to Cuba, both intelligence services worked closely together, and Oswald could have been handed on to the FBI from the CIA. If Oswald was an FBI informer, we can easily understand why J. Edgar Hoover, who has worked so long to build up a public image of dedicated infallibility, should have worked so indefatigably to cover up Oswald’s past, even making the shocking deal with Ruby’s defense attorneys.

The most effective method of the FBI, in its cover-up operation, has been to intimidate witnesses to keep them from talking: the less said, the fewer contradictions. The New York Times of Dec. 6 has a dispatch from Dallas by Joseph A. Loftus, who observes:

“Most private citizens who had co-operated with newsmen reporting the crime have refused to give further help after being interviewed by agents of the Federal Bureau of Investigation. Dallas city and county police withdrew their help the same way. One high officer said he wished he could answer questions ‘because it would save us a lot of work.’” Mr. Loftus gives a specific case: “The best authority presumably on the exact angle of entry of the bullet is the man who made the autopsy. He is Dr. J. J. Humes of the Naval Medical Center, Bethesda, Md. Dr. Humes said he had been forbidden to talk.” (italics added)

Why? Why should witnesses not tell the public what they know? Oswald is dead, there is no trial and the matter is not sub judice. Yet source after source dries up. The Western Union in Dallas which handled the money order replied to inquiries that “any details or comment would have to come from Washington headquarters of the Federal Bureau of Investigation.” The man Price, who looked through the telescopic sight of “Oswald” at the rifle range in Grand Prairie, “declined to answer further questions because the FBI had asked him not to talk. The FBI here [Dallas] denied this.” (New York Times, Dec. 10) The denial is specious in view of Price’s actual words to AP correspondent Bernard Gauser: “I cannot tell you a thing. If the FBI says it is okay for me to talk, why then I’d be glad to tell you what I know. But up to then it is strictly classified.”

According to the Christian Science Monitor of Nov. 26, 1963,
“William Waldman, an executive of Klein Sporting Goods, Inc., says the FBI has ordered him not to comment on the company’s presumed transaction with Lee Harvey Oswald...” (italics added), and Milton Klein himself told the Italian reporter Marcelli: “I’ve had more than enough publicity... and the FBI has warned me to keep my trap shut.”

Several witnesses testified before the Warren Commission, on March 10, that they had heard four shots, not three, and that they had seen a man running near the building after the shots were fired. One of them, a 14-year-old boy named Amos Euins refused to talk to newsmen because “a Secret Service man said I’d be in real trouble if I talked.” (National Guardian, March 21) The boy was probably mistaken as to the agency, since the FBI is working with the commission; the function of the Secret Service is to guard the President.

The doctors of Parkland Hospital have refused to talk since the autopsy and their change of mind on the entry wound. One suspects the heavy hand of the FBI. Oswald’s wife was, as we know, placed incommunicado until her appearance on TV and before the Warren Commission, when she asserted, without any proof, that her husband had killed President Kennedy. When a Time reporter asked why she was so sure, she could only give a vague answer: “It is very difficult question. He was not too much. Sometimes he was a little sick. He was a normal man, but sometimes people don’t understand him. And sometimes I didn’t know...” (Time, Feb. 14)

It must be emphasized that the FBI has no authority to tell any American citizen to shut up. FBI agents get away with it because of people’s ignorance of their rights. When they try to intimidate knowledgeable people they often fail, but that they should attempt to do so speaks volumes for their disrespect of the laws they are sworn to uphold. The arrogance of the FBI is pointed up in their attempt to intimidate Mark Lane, the former New York State Assemblyman and attorney for Marguerite Oswald, who has been in the forefront of the Oswald case from the beginning. The story is reported by the National Guardian of May 9, 1964:

“On April 29, Lane said, he was accosted outside his apartment building by two FBI agents... Standing in the pouring rain one of the agents... demanded: ‘Do you have information in your possession, which you have secured illegally from the files of the FBI?’ To which Lane responded: ‘Who are you?’

“The agents identified themselves as William E. Folkner, 5954, and John Di Marchi, 4256, and repeated the question...

“Lane: ‘What leads you to ask me that question?’

“Agent: ‘We have confidential information that you have such information.’
"Lane: 'I am surprised that it is so easy to acquire FBI information. I do not ever expect to be questioned in this fashion by an agent of the FBI. If the FBI wants answers from me, then I suggest that J. Edgar Hoover or someone write to me. In no case will I answer after being stopped in front of my own house by police agents, particularly in the rain. These are the tactics of a police state.'

"Agent: 'Then I take it that you admit you have documents in your possession from the files of the FBI and (raising voice) I now demand that you turn over to me all such documents in your possession at this time.'

"Lane: 'Excuse me. Taxi!'"

Mr. Lane, as a trained lawyer, can take care of himself but most Americans would be imposed upon by these intimidating tactics.

One of the most serious consequences of the FBI cover-up is the blocking of further investigation and the failure to follow up other leads. As far as I know, no attempt has been made to follow up the "repair ticket" lead or the story of "Oswald" at the gun range. One gets the impression that the FBI is deliberately closing avenues of investigation. Two incidents support this suspicion. One was revealed in The Realist of March 1964:

"President Kennedy was in Ashland, Wisconsin, on September 24. That's about 400 miles northwest of Milwaukee. On September 16, a man signed in as 'Lee Oswald, Dallas' at the Fox and Hounds Inn, a motel in Wausau, about 30 miles northwest of Milwaukee. A reporter has inspected the guest register, only to find that the pages from July 30 to September 18th are missing. The motel manager has no comment. The Milwaukee FBI has no comment." (italics added)

Who was this man? Why should the motel manager refuse to talk about it? Has he, too, been "warned to keep his trap shut"?

The second incident concerns Stephen Harris Landesberg, a 23-year-old student in New York City, who, on the day after the assassination, went to the New York office of the FBI, gave his name as James F. Rizzuto and said that he had served in the Marines with Oswald and a man named Stephen Yves L'Eandes (some papers gave the name as L'Andres). According to Newsday Landesberg told the FBI that in 1962 Oswald and L'Eandes appeared together at left-wing rallies to create disturbances. Newsday said the FBI made the rounds of bars in Greenwich Village showing a "color snapshot of a dark-haired, bearded man in his early, or mid-20's."

A New York Post story said L'Eandes had identified himself as a member of the Magnolia Rifles, a Mississippi segregationist group. It also said that although Oswald was in Russia from late 1959 to June 1962, several informants placed Oswald in the Village during that time—which raises the question of someone looking like Oswald,
a possibility which occupied us in the Sportsdrome incidents.

The investigation petered out when the FBI arrested Landesberg for giving false information, and he was arraigned before Federal Judge John M. Cannella. The FBI told the court that “the agency began an intensive search for L'Eandes in Greenwich Village only to discover, it said, that Landsberg, L'Eandes and Rizzuto were the same person.” (New York Times, Dec. 6, 1963) Judge Cannella set bail at $10,000 and, after the student agreed, committed him to Bellevue Hospital for a psychiatric examination.

For some reason, the FBI was not telling the truth, for besides Landesberg there does exist a man named L'Eandes who was in two affrays reported by the Village Voice in Dec. 1961 and Jan. 1962. I've checked both stories. Further, the photo shown around by the FBI shows a bearded man and Landesberg was smooth shaven. Will the FBI please explain? Or, more to the point, will the Warren Commission locate Landesberg, in jail or in a mental institution, and get his story?

Another bit of FBI sleight of hand which the Warren Commission should probe is Mrs. Marguerite Oswald's charge that the FBI showed her a picture of Ruby before Ruby killed her son. The FBI has admitted showing her a photograph, but denied it was a picture of Ruby. Let the FBI produce the photo. Mrs. Oswald continued to insist that it was Ruby despite the FBI denial. In passing it should be noted that denials for an intelligence agency, whether the FBI or the CIA, are standard operating procedure and not taken seriously by informed persons.

Once Oswald is seen as an FBI agent provocateur with a CIA background and connections, the most puzzling discrepancies fall into place: his not being on the risk list, his getting a passport, his calmness when arrested. Most important, it helps to explain the most puzzling aspect of Oswald’s behavior after the assassination—his flight. If he were innocent, why should he flee?

There is no question that Oswald left, and left in a hurry. The reason is probably quite simple: he did no want to be arrested by the Dallas police as a Communist. One can imagine the kind of rough interrogation Oswald had reason to fear as an avowed pro-Castro Marxist caught at the scene of a presidential assassination. Furthermore, it is well known that undercover agents are supposed to stay clear of the police.

I checked this point with an American authority who has spent many years in intelligence agencies. He assured me that both the CIA and the FBI intensely dislike having one of their undercover men get entangled with local police officials. It means awkward explanations,
the “blowing of cover,” and, often, a degree of ridicule from the local police who resent the air of superiority the CIA and the FBI customarily affect. Even when they are not undercover men, FBI agents are under instructions to stay clear of local police, except for official co-operation. The best way to get rid of an FBI agent, I am told, is to threaten to call the police.

To be arrested, except as part of a plan, is prima facie evidence that the agent has bungled in some way. One surmises that Oswald, who presumably had bungled in the past, didn't want this to happen again. Further he had learned from his experience in Russia that the CIA could be quite callous as to his plight, and that if he got in trouble with the police he'd have to get out of it by himself. When he was arrested in a New Orleans demonstration, he paid his fine and kept quiet. With all these considerations we can understand Oswald's flight, probably to Fort Worth where his mother and brother were. It was not an assassin who was fleeing; it was an undercover agent, an agent provocateur, whose cover as a pro-Castro man was, for the time and place, singularly provocative and unhealthy.

Oswald's probable role as agent provocateur affords an explanation of another bizarre incident in the Oswald case; the charge that he shot at General Walker. The Enquirer story which recounts how he and Ruby were implicated in the Walker incident, and that the Dallas police suspected this and was going to arrest them until the CIA intervened via the FBI, makes no sense if it is taken at face value. The CIA has no reason to eliminate General Walker. But it does make sense as a phony assassination attempt. General Walker's account of the attempt on his life is riddled with contradictions. His connections with the CIA and the FBI in the South are such as to make it plausible that it was arranged with their help. If we knew the reasons, it might give leads to the solution of President Kennedy's murder, for General Walker is a shadowy figure in the Oswald case and, as we shall see in the next chapter, has many links that should be explored by the Warren Commission.

Oswald, I am convinced, was an FBI agent provocateur, with a CIA background and connections. If this is all J. Edgar Hoover is trying to hide, then Ruby's murder of Oswald was providential. But if what Mr. Hoover doesn't “want the world to know” involves the complicity of some of his lower echelon agents, then the murder of Oswald by Ruby was planned and Mr. Hoover is an accessory after the fact. In either case, he should be dismissed.

Mr. J. Edgar Hoover, in my opinion, has been one of the most maleficent forces in American public life, a source of reactionary infection in the body politic. The connivance of Southern FBI agents
with the racist underground in the South has begun to crack the pious image of the defender of the republic. As I was correcting the proofs of this chapter on May 8, I came across this AP dispatch from Washington: "The House unanimously approved a resolution of congratulations and gratitude to J. Edgar Hoover, yesterday, in observance of the 40th anniversary this Sunday of his appointment as director of the FBI. Speaker McCormack of Massachusetts said: 'Love of God animates his every action, and love of country.' Republican leader Halleck of Indiana said Hoover has 'earned and deserves the respect, confidence, admiration, and yes the love of all the people of our country.'"

I was ironically amused to read the dispatch and to know that Mr. Hoover will stay on past retirement age by special dispensation. It is fitting that when the myth of Hoover's nobility and dedication explodes, as it will in the Oswald case, he should still be around to receive his just reward: an ignominious dismissal. Hoover insists on retaining his post. Whom the Gods would destroy, they first render arrogant.
In the January, 1964, issue of *Commentary* a lead editorial on the Warren Commission asks the sober question: "Is the possibility of a treasonous political conspiracy to be ruled out?"

The editorial gives an indirect, but negative answer: "Not the least fantastic aspect of this whole fantastic nightmare is the ease with which respectable opinion in America has arrived at the conclusion that such a possibility is absurd; in most other countries, what is regarded as absurd is the idea that the assassination could have been anything but a political murder."

Three months later, in its April, 1964 issue, *Commentary* ran the brilliant article by M. Leo Sauvage in which this responsible correspondent of the conservative French paper *Le Figaro* unequivocally states his belief that Oswald was innocent and that he was murdered to prevent his trial. As the reader knows, I concur in both conclusions.

It is difficult for Americans to accept the fact of a conspiracy, although America has had its share, including the present open conspiracy in the South to frustrate the national law and order expressed in Supreme Court rulings. Somehow it is plausible that President de Gaulle should be the target of an assassination attempt engineered by high army officers in complicity with some officials of French agencies that corresponded to the CIA and the FBI—but what is plausible in France is unthinkable here. I am afraid the Oswald case will shatter forever American innocence.

The reader must ask himself whether the facts thus far presented have shaken his confidence in the official version as leaked by the FBI and as, thus far, accepted by the Warren Commission. *Time* of Feb. 14, 1964, smugly anticipates the results: "There is no lingering doubt about what the commission's main findings will be: Lee Harvey Oswald killed Kennedy and wounded Texas Governor John Connally, and he carried out the assassination without an accomplice.

"There was no dark conspiracy..."

*Time* is crowing prematurely. The Warren Commission report has not come out yet, and, God willing, it will seek to answer the questions raised in the preceding chapters. If you, the reader, have doubts about Oswald's ability to carry out the assassination alone,
then you are ready to think the unthinkable. *Time* to the contrary notwithstanding, there was a dark conspiracy; there is a dark conspiracy.

The conspiracy involves, I believe, some officials of the CIA and the FBI as well as some army figures such as General Walker, and reactionary oil millionaires such as H. L. Hunt. Most readers will not boggle at the evil in men of the stripe of Walker and Hunt, but they will resist the suggestion that CIA and FBI men could participate in a conspiracy. The very idea seems unpatriotic. Let me therefore call on a conservative newspaperman, Mr. Richard Starnes of the New York *World Telegram and Sun*, who in a courageous column (Dec. 11, 1963) dared to challenge former CIA chief Allen Dulles. Under the title, "Dulles Is Shadow on Inquiry," Starnes writes about a conversation he recently had in the Far East with "an American official of high rank and immense personal prestige" who told Starnes:

"I have Q security clearance, which is the highest anyone can have, and I thought I pretty much knew what was going on. But I've been appalled by what I've seen here. I seriously question whether President Kennedy himself has any effective control over this monstrous bureaucracy." (italics added)

The reference is to the CIA and if Americans dismiss Mr. Starnes with the thought that the CIA in the Far East is a different outfit than at home, I would remind them that the would-be assassins of President de Gaulle also became disaffected in the Far East—in Vietnam to be precise, where probably the high official (could it be Mr. Lodge?) was functioning when he talked to Starnes.

In another remarkable article (Dec. 3), Mr. Starnes fearlessly takes after the FBI. The bitter title is "Truth Won't Out," and he writes: "Realism instructs us to expect little from the special commission created by President Johnson to investigate the death of his predecessor.

"No member of the commission has any competence as an investigator, nor does it have any access to a disinterested investigative staff. The commission will be almost wholly dependent upon the facts made available to it by the Secret Service, the Federal Bureau of Investigation and the Dallas Police Department.

"In a sense, of course, the special commission is investigating the role played by each of these agencies, and it is manifestly naive to expect these cops to bear witness against themselves or, indeed, each other . . .

"If you believe the Dallas police will ever give up the truth about how Rubenstein got a clear shot at Oswald you will believe anything, possibly including the solemn assertion that Rubenstein
was not paying off any officials for the privilege of skirting the law in operating his peltorama..." (italics added)

Further on in his article, Mr. Starnes makes this point:

"Can we expect the FBI to explain why Oswald was not under close surveillance? How many would-be defectors to Russia did they have to watch that day in Dallas when the President's widely-heralded visit was scheduled?"

It should be obvious that if even one tenth of what we have shown in the preceding chapters is true, then there are men both in the FBI and the CIA who are capable of anything, given the proper motive. And one of the most powerful of bureaucratic motives was operating: survival.

Let us, for the moment, move on to General Walker and his links with the Oswald case. The obvious link, discussed earlier, is the "attempted assassination" of the general by Oswald. That the same person should shoot both a Birchite General Walker and a liberal President Kennedy stretches credulity. As James de Coquet put it in *Le Figaro* of March 2, 1964: "One does not shoot at the same time at General Boulanger and Monsieur Loubet."

The most powerful, and least known, link between Walker and the Oswald case is a man named Bernard Weissman. Weissman is the man from New York who moved to Dallas a few weeks before Kennedy's visit to organize with two others, Larrie Schmidt and William Burley, the "American Fact-Finding Committee," a paper organization that ran, in the *Dallas Morning News* of November 22, the sordid ad attacking Mr. Kennedy. The ad, with its prophetic grim border, has been described by Congressman Grabowski as "vicious, cruel and abusive, and the kind of malicious verbiage that tends to incite fanatics."

Incitement—insurrection, even, for this was the charge brought against him—is the business of General Walker, including armed riot on the campus of Ole Miss. In Dallas, too, the General incited the riot of fanatic right wingers who spat upon UN Ambassador Stevenson and hit him with a picket sign. The event, which took place less than a month before the President's assassination, severely upset the ambassador: "Shaken, Stevenson told presidential advisor Arthur M. Schlesinger there was 'a mood of unpredictable madness' in Dallas..." *Life*, which gives this account, goes on to say: "The attack, according to Dallas police, was not a minor incident; it was close to a riot."

A good organizer, the general, and who do you suppose was present at the riot? Mr. Weissman, Mr. Schmidt, Mr. Burley—and Lee Harvey Oswald! It could be a coincidence, of course, but then
comes another coincidence: Mark Lane has information, which he gave the Warren Commission, that Weissman, Tippit, and a third person met at Ruby's club, the Carousel, before the assassination!

But the most obscure, and most damning link is that Weissman became a Birchite sympathizer while serving in Germany under the command of General Walker, who was indoctrinating his troops with the material of the John Birch Society until removed by his superiors for this scandalous political conduct. Bernard Weissman was a military cop, serving with the 598th Military Police Battalion at McGraw Barracks in Munich. He has said: "I never knew I was a conservative until I got to Germany," i.e., when he was exposed to the general's Birchite indoctrination. In Germany, says Weissman, "a bunch of us got together and found that we thought alike. We all thought the United States was acting like a weak sister, not the strongest nation in the world. We thought it was disgusting, and we decided to try to do something about it when we got out."

He did do something. He helped organize a riot against Stevenson. He paid the princely sum of $1,454.00 for a despicable ad. Where did Weissman, unemployed and presumably penniless, get the money? What were his other activities? Did he help put out the posters around Dallas which bore the President's likeness and the legend: *Wanted For Treason?* What was he doing at the Carousel with Tippit? How well did he know General Walker? *Aren't these questions for the FBI to ask?* If not, why not? And if not, is it not the task of the Warren Commission to grill, yes, grill, both Weissman and the FBI?

The questioning, if any, of Weissman could not have been very intensive, for he soon disappeared from Dallas. He took a plane and flew to New York, possibly at the advice of the FBI. This is not a rash assumption, for we know that the FBI advised another man to get out of town. The man was H. L. Hunt, who brings the glint of oil to this witches' brew. According to *The Realist*, March 1964, the FBI "within an hour of the shooting went to H. L. Hunt and advised him to get out of Dallas, fast. *Under an assumed name, he took American Airlines flight 42 to New York ...*" (italics added)

Why should the FBI warn Hunt, and why should he take their advice and fly? Are the local FBI agents his servants? Or accomplices? The grim joke is that the American tax payer pays for these civil servants (FBI agents) who act as actual servants for a man like Hunt who *pays practically no taxes, although he is the second richest man in the world with a weekly income of one million and seventy-eight thousand dollars!* With that kind of money at stake, murder, even presidential murder, is not out of the question. It is a matter
of record that Mr. Kennedy fully intended to make Hunt and similar oil millionaires pay at least a share of the country’s taxes, when they took so much more than their share of the country’s resources. Here are some of the President’s thoughts as presented in “Washington Calling,” the nationally distributed column by the well-known Washington commentator Marquis W. Childs. It was published on Oct. 19, 1963, i.e., 43 days before Kennedy was assassinated and four days before Lee H. Oswald was advised to apply for a job at the Texas School Book Depository.

“To a friend and long-time associate who called on him the other day President Kennedy expressed considerable bitterness on the subject of top-bracket taxpayers who use tax exemptions to spread propaganda of the extreme right.

“The President talked about two men, each of whom is often referred to as ‘the richest man in the world.’ One was J. Paul Getty, an oil man who spends most of his time in England. The second was the Dallas, Tex., oil man H. L. Hunt. Both are billionaries. Both, according to the President, paid small amounts in federal income tax last year. These men, the President said, use various forms of tax exemption and special tax allowances to subsidize the ultra right on television, radio and in print.

“There is no doubt that the right-wing is heavily subsidized. On radio and television stations across the country free taped programs are run daily, assailing the United Nations, attacking the graduated income tax, foreign aid, social security and the other favorite hates of the extreme right.

“One of the biggest tax benefits oil men enjoy is the 27½ per cent depletion allowance. In his January tax message, the President proposed a sharp reduction in this benefit, which has been extended to cover a long list of minerals. The tax bill passed by the House made only a minor change, however. The right-wing is prepared to go all out to defeat Kennedy in 1964...” (italics added)

Oil magnate H. L. Hunt was one of the earliest and most active supporters of the most vicious right-wing demagogue the United States has produced before the birth of the John Birch Society—Senator Joseph McCarthy of Wisconsin. Ever since he first met McCarthy in April, 1952, Hunt was one of the Senator’s most generous financial backers and has helped plug the McCarthy line with his “Facts Forum” news services, taped radio programs, subsidized reports, etc.

More recently, Hunt, according to Senator Maurine Neuberger, has gone all-out in spreading all kinds of bigoted propaganda, including anti-Semitism, anti-Catholicism and even anti-Protestantism, along
with his long-standing war on all forms of liberal or leftist thought.

"You would think," Senator Neuberger has said—here I am quoting again from Marquis Childs' column—"that a man with three billion dollars at his disposal and an active spleen would be willing to finance his own propaganda warfare. But Hunt prefers to let the federal government assume a substantial portion of his political crusades. Hunt has simply packaged his propaganda network under the head of the Lifeline Foundation, Inc. and then had his business corporations—the Hunt Oil Co. and its food-processing and canning division, the HLH Parade Co.—commercially sponsor Lifeline propaganda throughout the country."

According to a detailed account in Der Stern (Hamburg, No. 50/1963), Hunt is also chief sponsor of the so-called "National Indignation Convention," an extreme right-wing group which, along with General Edwin A. Walker and other fanatical John Birchers, organized the assault of Oct. 24, 1963 on Adlai Stevenson. Der Stern also flatly asserted that the above-mentioned "Welcome, Mr. Kennedy" ad in the Dallas Morning News, ominous prelude to the assassination, was paid for jointly by the John Birch Society and the "National Indignation Convention," two of Hunt's brain children.

The virulent hatred against President Kennedy by men like Hunt and Walker is difficult for the average American to conceive. General Walker's hatred was so abysmal that it outlasted the President's violent death. In front of his home, at 4011 Turtle Creeck, in North Dallas, Walker, like some other Texans of his stripe, keeps three flag poles. Normally, the United States, Texas and Confederate flags fly from them side by side.

For days before President Kennedy came to town, as well as on the morning of his fatal ride through "conservative Dallas," Walker flew the United States flag in front of his home upside down—an international distress signal comparable to S.O.S. To him, the country was in "dire peril" as long as That Man in the White House was alive. After the assassination, and in the face of President Johnson's proclamation of a half-staff mourning period, the general brazenly flew all of his flags at full staff, and right side up. The national emergency, this could only be taken to mean, now was over in the eyes of Walker and his likes in the John Birch Society.

To a reporter from United Press International, who wanted to verify this almost unbelievable affront to the memory of a murdered President, General Walker defiantly confirmed his gesture: "My flags are always flown full staff now," he declared, and added, for it happened to be a rainy day, when flagpoles are bare, "They will be back out at full staff when it stops raining" (UPI dispatch, Dallas, Dec. 10, 1963).
Shortly after, Walker gave another telltale demonstration of his frame of mind. At the trial, early in February, 1964, of Byron de la Beckwith, the Mississippian racist accused of having murdered the Negro leader Medgar Evers in the same cowardly fashion that was used a few months later in the assassination of President Kennedy, General Walker ostentatiously dropped in to extend his best wishes and sympathy.

_Newsweek_ reported this significant episode: “The dapper, dark-haired little man [Beckwith] acted more as if he were holding court than standing trial for his life. A former governor, Ross Barnett, dropped by with a handshake and a cheery word. So did a retired general, Edwin A. Walker.”

_Time_ put it this way: “After the jury went out, Beckwith’s wait was relieved by visits from former Mississippi Governor Ross Barnett and onetime Army Major General Edwin A. Walker. Beckwith seemed deeply moved by their presence.” (italics added)

In the same context, _Time_ quoted from a letter Beckwith once had written to a Jackson newspaper (it was read at the trial by District Attorney William Waller): “I shall bend every effort to rid the U.S. of integrationists, whoever and wherever they may be.” (italics added)

Could there be a connection between the murder of Medgar Evers on June 12, 1963, and the phony assassination attempt on Walker? In both cases, a rifle equipped with telescopic sights was used and—curious coincidence, indeed—in both cases the bullets were the identical caliber.

The combination of money and virulent political hatred is a powerful one. Hunt and Walker are natural allies. Given what Mr. Kennedy was up to, so was the CIA. We know from the testimony of M. Jean Daniel, foreign editor of _L’Express_, that Kennedy was moving toward a reconciliation with Castro. Daniel was acting as unofficial emissary the very weekend of Kennedy’s assassination. The story has been told in full by M. Daniel in the _New Republic_ of Dec. 14, 1943 M. Daniel affirms that Castro was responding favorably:

“Dr. Castro, with whom I happened to be when he learned of the death of the President, expressed shock at the assassination. His first reaction was to repeat three times: ‘Es una mala noticia—This is very bad news.’

‘Everything is changed,’ he continued. ‘Everything is going to change...’

‘Later, Dr. Castro had questions about the new President.

‘Who is Lyndon Johnson?’ he asked. ‘What kind of a reputation does he have? What are his relations with Kennedy? With Krush-
chev? What was his position at the time of the Cuban invasion? What authority does he have over the CIA?"

The night before the assassination, Castro told M. Daniel:

"Kennedy . . . still has the possibility of becoming the greatest President of the United States, the leader who may at last understand that there can be coexistence between capitalists and Socialists, even in the Americas. He would then be an even greater President than Lincoln. I know, for example, that for Khrushchev, Kennedy is a man you can talk with. I have gotten this impression from all my conversations with Khrushchev. Other leaders have assured me that to attain this goal, we must first await his re-election . . ."

Cuba sticks in the craw of the CIA. The fiasco of the Bay of Pigs cost Allen Dulles his job. Moreover, once Kennedy began a policy of easing the Cold War, some of the CIA, like much of the Pentagon, would be dismantled and the agency brought under presidential control. I am sure there are men in the CIA, just as there are General Walkers in the army, who simply couldn't accept this situation and who thought of Kennedy as a traitor. And traitors are executed.

I have no idea who was involved in the conspiracy, but we have seen some of the forces with sufficient motive to wish for an assassination. Only the CIA and the FBI could have known enough about Oswald, the kind of man he was, the fact that he had a rifle (was the photograph on Life's cover taken by Marina, as we are told, or by a fellow agent, to be used for provocative purposes?), the fact that he was working in the Depository. Oswald, it appears, was to be a fall guy, a red herring, to draw attention while the murderers escaped. It is doubtful that the conspirators expected to have such a perfect cover-up as the FBI systematically provided; this was an unexpected windfall, the largesse of J. Edgar Hoover.

It was both fascinating and deeply disturbing to watch Oswald's transformation during his brief hours in the custody of the Dallas police: the change from his cool, self-confident mood to the look of a stricken trapped man, as he realized what was being done to him. There is a persistent rumor among the newspapermen present, which I haven't been able to verify as yet, that Oswald said to Ruby: "Don't shoot, Ruby. I won't talk." I put it here, not as evidence, but as symbolically fitting.

Two small, but potentially significant bits of evidence concerning the murder scene should be mentioned. First, Mr. Pappas, writing in Impact, says that Oswald seemed to see Ruby before anyone else saw him, i.e., before Ruby stepped forward. Second, the peculiar behavior of Police Captain Fritz. A photo taken just before the shooting
shows Captain Fritz leaning toward Oswald—a few steps away. A photo taken seconds after the fatal shots shows everyone rushing toward the wounded man, and Captain Fritz, his back turned to the scene, walking away.

The plotters against the President's life, whoever they are, succeeded beyond their wildest expectations. Not only did they kill the President, but instead of a tacit cover-up, the cover-up has the active support of the Establishment, the overwhelming majority of whom, while not involved, don't dare to rock the boat. Thus Time, innocent of the plot but knowing that something is rotten in the State of Texas, exults: "There was no dark conspiracy . . ."

And yet . . .

There are three officials in America with the power, if they have the will, to lance this dreadful sore in our body politic: the President of the United States, the Attorney General of the United States, the Chief Justice of the United States. Despite their august offices, these are also three human beings: Lyndon Johnson, Robert Kennedy, Earl Warren. What might they do . . . and why?
If no more than half of the facts, testimony and speculations in this book are true, the Oswald Case is America's Dreyfus Case. The Dreyfus Case changed French history, so crippling the most reactionary forces in that society that Fascism could only come to power on the heels of a foreign invader in 1941. The consequences for the American society of the breaking open of the Oswald Case would also change American history, and since the United States is one of the two superpowers, it would change world history.

In such awesome perspective, the most self-confident man might recoil from bursting the kind of bombshell that Mr. Khrushchev exploded with his revelations on Stalin. A political leader who did not pause and thrice ponder before unleashing a social maelstrom would be a mountebank and not a statesman. It is no dishonor to be cautious, to fear the unknown and to avoid pain. We are told that even the Son of God at Gethsemane wished the cup to pass from his lip. In American history, we know how hard Abraham Lincoln, the noblest son of our country, tried to temporize and avoid a terrible conflict. Even when the conflict was in full force, he kept its goal to the minimum, most fundamental issue: the preservation of the Union. We tend to forget that even the Emancipation Proclamation was limited to rebel unoccupied territory.

That these high officials abhor and detest the crime goes without saying. Given the chance, each would have interposed his body to defend the President's life. But Mr. Kennedy is dead and they must make political judgments as to what is best for the society, as they see it. This is a particularly poignant and heart-rending decision for Mr. Robert Kennedy. He may feel, and he may feel his dead brother would want him to feel, that American society would be so rent in a left-right struggle that he should reluctantly, but necessarily, refrain from pursuing the investigation to the bitter end.

Not that I believe these three men know the whole story. But if the facts I've presented have any validity, these officials know them (and more that I don't know) so that they must, even now, be profoundly ill at ease with the FBI official version. They may not want to know the full truth. If the Texas oil elite is implicated, even
through a single fanatic like Hunt, a full investigation may cast shadows over men who have supported Mr. Johnson politically, not because they like Lyndon Johnson better but because they hated John Kennedy worse.

The basic political judgment is what is best for the United States as a nation. We have some criteria. What would have happened to France if the attempted assassination of de Gaulle had succeeded and the rabid ultras had gained control? With the French atomic weapons in such hands, would the world be safer today? We have seen what the political assassination of Rathenau led to in Germany, the political assassination of Matteotti in Italy, the many political assassinations of moderates in Japan. Where is the future of America, and of the world, if this assassination goes unpunished? This is what the world is asking, and this is what the world fears.

At the present moment Mr. Johnson and Mr. Kennedy must await the Warren Commission report. What will Mr. Warren do (with the former CIA chief Dulles on the board)? Starnes of the World-Telegram said, “Realism instructs us to expect little from the special commission...” Perhaps. But looming over that commission is President Lyndon Johnson, who is quite aware of the waggings of tongues abroad, and at home—the kind of inescapable utterances such as that of columnist Robert E. Rhodes in Newsday (Jan. 24, 1964): “Lyndon B. Johnson sits where he is now because of one of the cruelest twists that fate has ever taken. But had it not been for the assassination of President Kennedy, the revelations of the last few days [of scandals by a former assistant] might have brought a new destiny to the man serving as vice president—governmental unemployment.”

I do not have the honor of knowing Mr. Johnson. He is a conservative man but his earliest hero was a rooting progressive, Franklin Delano Roosevelt. As President, Mr. Johnson has shown superb qualities of leadership, of power and of decision. He has a hard decision ahead, but no harder than that of Abraham Lincoln. Let him bring to bear the majesty of his office to match the majesty of the American tradition. Let him heed the “wounds that speak like mouths” and let the American people be the judges of what has happened. If there is any meaning to Americanism it is this: the people are the court of last resort. To act upon this premise may turn out to be the higher realism.
This book was already on press when the *New York Times* published, on May 15, 1964, the news item reprinted below—which is why this postscript does not appear in the table of contents. It marks a crucial development, for it indicates that the FBI is backing away from its original position: "Oswald Assassin Beyond A Doubt, He Acted Alone" (see *New York Times*, Dec. 10, antepenultimate page, documentary section). It wasn't a complete surprise; Considine's article, in February, alleging that the case "remains 'open' on the books of the FBI," raised the possibility of an FBI retreat. I so hinted in my preface. Ironically, the feud of the Dallas police with the FBI, has been primarily responsible for the FBI's shift, which, we hope, adumbrates a cautiously worded report by the Warren Commission that will draw only interim conclusions, leaving the door open for further investigation. History may record that it took the Texas pride of the Dallas police to humble J. Edgar Hoover—and the President might just follow suit.

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**HOOVER AND M'COINE**

**WARREN WITNESSES**

WASHINGTON, May 14 (UPI) — J. Edgar Hoover emerged from a 2½-hour closed session with the Warren Commission today and predicted that the investigation of President Kennedy's assassination would continue for "many, many years." The Director of the Federal Bureau of Investigation praised the commission's thoroughness in trying to find answers to the Nov. 22 tragedy, but said the bureau would be working on the case long after the Presidential panel submitted its final report.

"We are following up on all leads and reports, although some of them are as fantastic as can be thought up," he said.

"I hope this book will . . . force the FBI to retreat and force it, in fear of being superseded, to use its enormous facilities to make a real investigation."

Preface

Oswald: Assassin or Fall Guy?
Note

The crucial documents referred to in this book are two in number. One is the laboratory report on the paraffin test on Oswald's cheek which, being negative, showed that Oswald could not have fired the rifle under the conditions postulated by the police.
Number two is the affidavit given by Mrs. Markham to the Dallas district attorney's office which describes the killer and sets the time of his encounter with Patrolman Tippit at 1:06 p.m. Her description does not fit Oswald at all and her time absolutely precludes Oswald's being on the scene. These two documents exist, they have been seen, and Mr. Mark Lane has documentary proof of their existence. They are still in the files of the Dallas police and the public should demand to see them.

The publishers tried in vain to obtain the Life cover snapshot and of the photograph released by the Associated Press.
In the case of the AP photograph we were informed that it had been "withdrawn from commercial distribution". The individual queried declined to give the reasons for this unusual act, or to confirm or deny that there had been FBI pressure to do so. He simply didn't know.

The photographs in this section are from United Press International except for that of the bus stop near Oswald's lodgings and of the underpass which were taken by the author.
A Brief Analysis of the Warren Report*

At 6:30 p.m., on Sunday, September 27, 1964, the Presidential Commission on the Assassination of President Kennedy released its Report, a tome of 888 pages with one basic conclusion: Lee Harvey Oswald was the lone assassin. "Comprehensive and convincing . . . weighs every scrap of evidence," said the New York Times editorially. The entire mass media of the country followed suit, agreeing with the self-appraisal of the Commission that if there was any evidence that others were involved with Oswald or Ruby, "it has been beyond the investigative agencies and resources of the United States and has not come to the attention of the Commission." (p. 42, Bantam edition. Page numbers refer to this edition, which is complete and readily accessible. Quotes have been checked against the Report.)

Despite this weighty testament and the prestige of the Commissioners, doubts on the Report were expressed from the day of its release. On Monday, September 28, the New York Times, in the same editorial which hailed the Report as "comprehensive and convincing," expressed a curious dissatisfaction with parts of it:

The appendix on "Speculations and Rumors," although useful for reference, is too terse to explain these complicated matters adequately. . . .

The second sequence of events involving the murder of Patrolman J. D. Tippit and Oswald's capture in a movie theatre, is reasonably certain, but not every detail is as strongly supported by evidence as are the circumstances of President Kennedy's death. The testimony of the taxi driver who drove Oswald after the assassination is so confused as to where he took him as to seem worthless. Similarly, the jacket which Oswald is believed to have discarded in his flight has little value as evidence since so many witnesses gave conflicting testimony as to its color.

It is also curious that since there were 6 or 7 people on the theatre's main floor and an equal number in the balcony, only 2 came forward to testify . . . (italics added)

*I wish to express my appreciation to Mr. Carl Marzani and his staff for their substantial aid in the research and writing of this section.
In view of the fact that the Report states that “at least 12 persons saw” Tippit’s murderer and 9 identified him as Oswald—as compared to only one witness who, weeks later, identified Oswald as the President’s assassin—these reservations of the most authoritative voice of the Establishment are extremely significant in their implication: the techniques of presentation are those of a prosecutor, not of an impartial fact-finding body. This basic and crucial flaw in the Report struck me on first reading, and it struck other knowledgeable observers.

The very next day, in the New York World-Telegram of September 29, Mr. Murray Kempton spoke sharply on this issue. Although he professed to be convinced that Oswald was the lone assassin, Kempton assailed the Report as raising the “implausible to the relatively probable. That is the sort of thing that prosecutors do. Impressive as the evidence is, the Warren Report is, in this instance, no better than the best presentation of a prosecutor.”

On the same day, a university teacher flatly said that the king was naked. Mr. Curtis Crawford, of the faculty of New York University, reviewed the Report over WBAI and pointed out an array of discrepancies which undermined its credibility. Among them was the conflict between the autopsy and the FBI as to the specific location of the bullet hole in Mr. Kennedy’s back. Of some twenty major questions which he expected the Report to resolve, he found six answers to be credible, six not credible, and the rest evasive or otherwise unsatisfactory. The Report, he said, is “impressive but not convincing.”

On the following day, September 30, Miss Dorothy Kilgallen of the New York Journal-American gave her personal reaction to the Report. She had spent considerable time in Dallas, had covered the Ruby trial, and had concentrated on the Tippit murder. More troubled than the Times’ editors, she found the Commission’s answers on the Tippit murder “a mite too simple.” Of the Report she said: “the whole thing smells a bit fishy.”

That same day, Kempton wrote a second column entitled “Tone of the Prosecutor.” Once again, he gave specific examples of bias in the Report and, with additions, incorporated them in a long article in the New Republic of October 10. By this time, his tone had sharpened and the title was a flat accusation: “Warren Report—Case for the Prosecution.”

That the Report is a prosecutor’s brief is now granted even by many of its passionate defenders. A case in point is Mr. Melvin Belli, the defense attorney in the Ruby trial, who debated Mark Lane before a packed audience of 3500 in Manhattan Center, New York, October 19, 1964. Mr. Belli conceded without argument that the Report was “a bill of indictment.”
The Commission has repeatedly stressed its impartiality and objectivity. Either by prescience or bad conscience, it is on record as rejecting a prosecutor's role: "The Commission has functioned neither as a court presiding over an adversary proceeding nor as a prosecutor determined to prove a case, but as a factfinding agency committed to the ascertainment of the truth." (p. 10) "No limitations have been placed on the Commission . . . These conclusions represent the reasoned judgment of all members" and the Commission is "satisfied . . . that it has ascertained the truth . . . to the extent that prolonged and thorough search makes this possible." (p. 37) "The Commission has investigated each rumor and allegation linking Oswald to a conspiracy which has come to its attention, regardless of sources." (p. 225, italics added throughout)

Despite these protestations, and his regard for the Commission's Chairman, Mr. Kempton is not swayed: "It remains our duty, I am afraid, to look at the Warren Commission Report with as cold an eye as we can. We are all the appellate court Lee Oswald is likely to have." Mr. Kempton proceeds to note several areas which show the Commission's bias as prosecutor. The first deals with Oswald's marksmanship. The Commission believes that three shots were fired and one missed. If the middle shot was the one that missed, the span of time was between 4.8 to 5.6 seconds. If the first or third shot missed, the span of time was 7.1 to 7.9 seconds.

The Olympic rifle champion Hubert Hammerer said he doubted whether he could duplicate Oswald's feat. The rifle champion of the Rhodesian Army, Walter Johnson, couldn't duplicate Oswald's feat. Columnist Robert C. Ruark, who is an expert hunter and estimates he has fired over 2000 rounds of ammunition, and whose guide Johnson was, reports that they tried to match Oswald's time and "we were shooting as fast as we could work the bolt. Neither one of us was able to fire three shots in under eight seconds." Writing in the New York World-Telegram of October 9, Ruark continues:

Somewhere in the Warren Report mentioned that "the scope made fast shooting" possible. This is utter nonsense. Every time you fire a scoped rifle the blast knocks your eye out of the scope, and you have to rediscover the target. There is also something called "parallax" which blurs a scope, making the target disappear if your eye isn't rightly adjusted to the lenses.

Walter Johnson and I have read the Report scrupulously, several times, and the ballistic end of it makes no sense.

Oswald was a poor marksman. He shot for record twice, and the first time he scored 212 points, or two points above the minimum for "sharpshooter" rating. The second time he scored 191 points,
or 1 point above the minimum required for a “marksman” rating. The probable reason for the difference was given to the Commission by a Marine expert, Major Anderson: “When he fired that [212] he had just completed a very intensive training period. He had the services of an experienced highly trained coach.” The second time, almost three years later, while still in the Marines, Oswald barely qualified as a “marksman” and this, a Marine colonel testified to the Commission, made him “a rather poor shot.”

Kempton points out that the Commission accepts Marina’s story that Oswald shot at General Walker, who was sitting by an open window. Oswald presumably shot into a lighted room, at a stationary target, his rifle resting on a fence, at a distance barely a quarter of that when he presumably hit Kennedy—and missed! Kempton says of his performance on the day of the assassination: it can “only be explained as one of those days when a golfer cuts 10 strokes off his normal score; the only proper argument is that such a rise above his normal level is implausible but not impossible.” But the Commission, in an attempt to prove that such shooting would have been normal, ran tests which were said to duplicate the Dallas shooting. In fact, the targets were stationary, and instead of using men who barely qualified as ordinary “marksmen”—as Oswald was—they picked three soldiers rated as “master marksmen” by the National Rifle Association—that is, the very top of their five gradations of skill. Says Kempton:

The Commission might as well have been testing the probable performance of a man who shoots in his mid-80’s by testing the course with scratch golfers. Even so these masters missed their target on five of their 18 shots which was not too far above Oswald’s presumed average. One master missed two of his three shots, an average worse than Oswald’s. These masters shot as fast they could. Even so, if Oswald had only 5.6 seconds to fire three shots at Kennedy, he was faster with his weapon than these masters in four cases and slower only in two.

Still and all, when the masters had finished, Ronald Simmons, who ran their tests, told the Commission “that on the basis of these results the probability of hitting the target . . . was relatively high.”

The results would indicate that the probability of Oswald’s hitting the target two times out of three was, on the contrary, rather low.

As Kempton says, maybe Oswald was shooting above his head that day; but the Commission doesn’t say this. It deliberately slants its conclusion, stating that “it agrees with the testimony of Marine
marksmanship expert Zahm that it was 'an easy shot' to hit some part of the President's body." In other words, the Commission deliberately raised, to quote Kempton, "the implausible to the relatively probable. This is the sort of thing that prosecutors do. . . . Justice Warren is an ideal prosecutor; but I had thought he preferred to be remembered as an ideal judge."

The crowning touch to this cairn of implausibilities is given by the Commission itself, when it argues that the rifle was disassembled. For accurate shooting, sights must be adjusted, i.e., the rifle "zeroed in," and the process of assembly and disassembly tends to spoil the adjustment. In sum, if Oswald was the murderer, his was a remarkable, not to say phenomenal, feat of marksmanship. Does the Commission acknowledge this? On the contrary, it dismisses it as an "easy shot." The refrain is taken up by the mass media. Commission member Gerald R. Ford, writing in Life magazine (October 2, 1964), said: "Our tests indicated, however, that this was not a remarkable feat." Harrison Salisbury, Assistant Managing Editor of the New York Times, in his introduction to the Bantam edition, echoes the refrain: "Demonstrations by a moderately skilled person showed that no genuine difficulty was imposed in duplicating the feat."

As a prime example of the prosecutor's tone, Kempton shows how the Report subtly moves from objectivity to partisanship in the case of Howard L. Brennan, the steam fitter, who is the crucial witness who saw a person at the sixth story window and the only one who said it was Oswald. The evening of the assassination, Brennan looked at Oswald in a police line-up and thought it was the man at the window, but refused to make a positive identification. He told the Commission later that he could have done so but was afraid he might be killed by Communists. The Report then states: "The Commission, therefore, does not base its conclusion concerning the identity of the assassin on Brennan's subsequent identification. . . . at the least, Brennan saw a man at the window who closely resembled Lee Harvey Oswald." (p. 135) Then, about a hundred pages later, the Commission states flatly: "Howard L. Brennan made a positive identification of Oswald as being the person at the window." (p. 232) Comments Kempton: "The best of prosecutors tidy up matters that way between the day the witness testifies and the day they sum up before the jury: that is why we have defense attorneys." (italics added)

A prosecuting district attorney depends for his case on the police, and calls upon that evidence and testimony which strengthens his argument, omitting anything which might impair his case. The defense, in turn, challenges the prosecution's witnesses, cross-examines them, brings forth its own witnesses, and brings to light the prosecutor's omissions. On the matter of experts, the defense has its own
experts. This does not mean that experts lie: merely that they can be mistaken. Or more accurately, that in such inexact "scientific" areas as ballistics or autopsies, data may be interpreted differently. When Oswald's mother asked Attorney Mark Lane to represent the interests of her son, the Commission refused, saying that this was not a trial. Later, however, the Commission appointed Walter E. Craig, president of the American Bar Association, to participate in the investigation. There is no evidence that Mr. Craig or his representatives participated in any cross-examination whatever. Mr. Craig is mentioned only once in 888 pages: in the foreword describing his appointment.

**A Prosecutor's Brief**

The adversary method of American justice postulates a prosecuting attorney on one side; a defense attorney on the other. Out of their clash, presumably the truth will emerge. To have a Commission which is both judge and jury act also as the prosecution with no attorney for the defense, not even a "devil's advocate," mocks the Commission's claim to being an impartial fact-finding body. Without an opposition, nothing in the Report can be accepted uncritically, for we need always beware of the prosecutor's technique of selecting evidence in favor of his theory, and disregarding what is unfavorable. The most obvious example of this is in the Commission's handling of the question of how the rifle got into the Depository Building. This was a problem because no one saw Oswald carry a rifle into the building. The Commission therefore has to rely wholly on the fact that Oswald carried a package to work that morning. It was a long paper bag, which, says the Report, was found near the window, and this bag carried the rifle.

But the bag is only 38 inches long and the rifle is 40.2 inches long. Therefore the Commission argues that it was disassembled, in which case its longest portion was 34.8 inches long. There were only two witnesses who saw that package, Wesley Frazier and his sister Mrs. Randle. *They both testified that the package was not 35 inches long and could not have been.* They both testified, independently, that the package was about 27 inches. Mrs. Randle, given the bag to fold, made a fold giving a length of 28 1/2 inches.

Frazier was tested visually too. He said the package had lain on the back seat, one end next to the door and the other end reaching a point, which he marked. Says the Commission, "The distance between the point on the seat and the door was 27 inches." But this is not all. Each witness had an independent visual recollection. Mrs. Randle said that the bag "was held in Oswald's right hand 'and that it almost touched the ground.'" (p. 126) That distance, for a man
of 5 feet 8 inches in height is around 25 inches. Frazier said that Oswald carried the package with one end under his armpit and the other end held in his cupped hand. That distance is also about 25 inches. Yet despite all this the Commission states blandly that it “has concluded that Frazier and Randle are mistaken as to the length of the bag” (p. 127) It must be emphasized that there are no other witnesses on this matter.

As a brief for the prosecution, the Report is extremely able, reflecting the talents of the Commissioners, their staff, and their mastery of the essential skill of the prosecutor: to present to the jury a convincing chain of evidence, never giving any qualifications or doubts, however slight. Another technique is to so present the items of evidence as to make a tenuous thread seem as strong as a clothesline. A third is by mixing an unquestioned fact with a more dubious one. All these techniques are plainly apparent in the Commission’s summation that the fatal shots were fired by Lee Harvey Oswald. (p. 39)

Seven links are given. The first is that the rifle “was owned by and in the possession of Oswald.” The ownership appears true but the possession is less certain. The rifle was kept in an unlocked garage and according to the Report it was last seen by Marina Oswald almost two months before the shooting.

The second link is that “Oswald carried his rifle into the Depository Building on the morning of November 22, 1963.” As we have seen there is no witness who saw Oswald carry a rifle and the only witnesses who saw him carry a package flatly contradict the Commission.

The third link is the flat, authoritative statement that Oswald was at the sixth story window at the time of the shooting. We have seen that Brennan is the only witness and that the Commission itself conceded he had made no positive identification. The fourth link is finding the rifle on the sixth floor together with a bag in which Oswald presumably carried it. As we have seen, the two witnesses to Oswald’s carrying the bag contradict the Commission.

The fifth link is the assertion by the Commission that experts have determined that Oswald had the marksmanship capability to do the killing. This, the most tenuous of arguments, is presented as if it were a scientific finding proven beyond the slightest shadow of a doubt. The sixth link is that Oswald lied to the police and the seventh is that he tried to shoot General Walker, thus showing his predisposition to murder.

This is the case against Oswald. Whatever truth it may contain, it is no more than the prosecution’s case, and until the defense has had an opportunity to question and challenge it, it is just one side of the case.
It should be noted, incidentally, that Mr. Kempton gives a great many additional examples of the prosecutor's approach in his article in the *New Republic* of October 10, although it must be pointed out that Mr. Kempton says he believes Oswald is guilty: "The Commission's Report seems to me a compilation of evidence so massive as to make unreasonable any doubt that Oswald killed Kennedy and that he acted alone. Even so, there remain certain doubts . . . [about] the methods of this trial" (N.Y. *World-Telegram*, 9/29/64).

I think we can go further and show that the Report is not always the brief of a good prosecutor, for the Commission is not above using verbal distortions to confuse and convince. An example is found in the long appendix which contrasts "speculations" with "commission findings," and which the *Times'* editorial questions.

**Speculation.—** The name of the rifle used in the assassination appeared on the rifle . . .

**Commission finding.—** An examination of the rifle does not reveal any manufacturer's name. (p. 576)

Now the fact is that no one, to my knowledge, has ever alleged that there was a manufacturer's name on the rifle. What I and others have said is that newspapermen were told by police officers that the rifle found on the sixth floor was a German Mauser 7.65, that officer Weitzman signed an affidavit to that effect, and that District Attorney Wade had stated it was a Mauser. Further, a photograph by UPI shows the back of Lieutenant Day carrying the rifle by the sling and the caption identifies it as a Mauser. Only after the FBI found out that Oswald had purchased a Carcano 6.5, did the story change. Now, since the Carcano is clearly marked MADE ITALY, Cal 6.5, what we wanted to know is how such an error was made. The Commission sets up a strawman of a manufacturer's name and proceeds to knock it down. At the same time, it makes no reference to Weitzman's affidavit, saying only that Weitzman glanced at it, and thought it was a Mauser, but never touched the rifle. Yet Lieutenant Day and Captain Fritz did hold the rifle. And Wade, didn't he look at the rifle? Are we to believe that Weitzman told him it was a Mauser, and that Day and Fritz just let Wade repeat the inaccuracy without correction? The Commission Report has a curious sentence when it disputes Weitzman. It says: "Police laboratory technicians subsequently arrived and correctly identified the weapon as a 6.5 Italian rifle." (p. 576) Does the term "technicians" apply to Day and Fritz? If not, who are these technicians? Why didn't they tell Wade what the rifle really was? Wade's "error" it must be remembered, was allowed to stand nearly 24 hours, published in every paper in the country, reiterated over every radio and television station in the country. Is it credible to suppose that Day, Fritz and the police
technicians paid no attention to the description as a Mauser when they knew all the time, according to the Commission, that it was a Carcano?

The plain fact is that the Commission's explanation is tortured and evasive. When one adds to this the Commission's trickery in setting up a non-existent manufacturer's name, one begins to sense more than prosecution zeal and to suspect deliberate manipulation of the evidence.

This suspicion is reinforced by the fact that the Commission failed to call key witnesses. Every witness that was not called was one which undermined some part of the Commission's theory. In so doing, the Commission contradicted its own claim that it conducted:

a thorough and independent investigation. Because of the numerous rumors and theories, the Commission concluded that the public interest in insuring that the truth was ascertained could not be met by merely accepting the reports or the analyses of Federal or State agencies. Not only were the premises and conclusions of those reports critically re-assessed, but all assertions or rumors relating to a possible conspiracy, or the complicity of others than Oswald, which have come to the attention of the Commission, were investigated. (p. 5, italics added)

In other words, the Commission had set for itself certain ground rules: to investigate all allegations and rumors; not to act as a prosecutor; to examine all theories; to investigate all leads. The executors of those ground rules are professionals: a distinguished cast of attorneys headed by Eisenhower's Solicitor General and supervised by seven Commissioners, each of whom is a trained lawyer. Such men know the precise meaning of every word, of every phrase, and must be held accountable for their expressions in the Report. If those ground rules were violated, if evasions and omissions can be shown, then the entire Report is open to question. If a single piece of evidence can be shown to be untrustworthy, then all the evidence is tainted.

Above all, if it can be shown that even one key witness was not presented to the Commission, the objectivity of the Commission is undermined, if not destroyed. The failure to call key witnesses must be judged in view of the fact that the FBI conducted 25,000 interviews and re-interviews and the Secret Service 1550. Together they submitted over 31,000 reports totalling some 30,000 pages. Further "the Commission and its staff has taken the testimony of 552 witnesses. Of this number, 94 appeared before members of the Commission; 395 were questioned by members of the Commission's legal staff; 61 supplied sworn affidavits; and 2 gave statements." (pp. 7-8) The list of the 552 witnesses is given in the Appendix. The pre-
Key Witnesses Not Called

By far the most important cluster of crucial and uncalled witnesses was discovered by a young research couple at Columbia University. Three witnesses at the Tippit murder were never called, although the police knew about them. The New York Times gave the story as follows on October 11, 1964:

A Columbia University research team has charged that the Warren Commission failed to interview all persons able to give information about the assassination of President Kennedy and the slaying of Patrolman J. D. Tippit in Dallas last November 22.

Georgia and Patricia Nash, a husband and wife who are research assistants at the University's Bureau of Applied Social Research, also declared that the commission's report "is less than complete."

The full story is given by Mr. and Mrs. Nash in an article entitled "The Other Witnesses," published in the New Leader, October 12, 1964. They state that there is a woman who claims to be a witness to the Tippit shooting and "it seems probable that she is known to some investigative agency if not to the Commission itself." Her name is Acquilla Clemmons and when they interviewed her "she claims to have seen two men near the police car, in addition to Tippit, just before the shooting. The woman said the FBI did question her briefly but decided not to take a statement because of her poor physical condition (she is a diabetic)."

The Report has this to say:

"Speculation.—Another witness to the slaying of Patrolman Tippit, an unidentified woman, was interviewed by the FBI but was never called as a witness . . .

"Commission finding.—The only woman among the witnesses to the slaying of Tippit known to the Commission is Helen Markham. The FBI never interviewed any other woman who claimed to have seen the shooting and never received any information concerning the existence of such a witness." (p. 582)

Here is, to say the least, an unresolved contradiction which should be investigated. Mark Lane has stated that Acquilla Clemmons talked to the Dallas police who told her to keep quiet, rather than the FBI, which would make the Report technically accurate but would raise the question as to why the police didn't tell the FBI about this woman.
There can be no question as to the importance of the other two witnesses whom the Nashes interviewed. Both viewed the scene immediately the shots were fired. They were Mr. and Mrs. Wright of 501 East 10th Street, about half a block east of the murder site, and Mrs. Wright is the woman who called the police. Her testimony, never heard before the Commission, casts some doubt on the Report’s assertion that “It was Benavides . . . who first reported the killing of Patrolman Tippit.” (p. 156, italics added)

According to what they told the Nashes, the Wrights were sitting watching television when they heard, and recognized, shots. Mr. Wright immediately went out the door while Mrs. Wright ran to the window. Both saw the police car and a man lying by it. “It seems as if he had just fallen down,” said Mr. Wright. “Maybe I saw him as he had just finished falling. He was on the ground and then he turned face over.” Mrs. Wright said she also saw the fallen man: “I didn’t wait a minute. I ran to the telephone. I didn’t look in the book or anything. I ran to the telephone, picked it up dialed ‘O.’ I said, ‘Call the police, a man’s been shot!’ ” She says she gave the operator her address and then joined her husband outside. “It wasn’t but a minute till the ambulance got there.”

The operator called the police, who noted there had been a shooting at 501 East 10th and pushed a buzzer connecting them by a direct line to the Dudley M. Hughes Funeral Home, which is the central ambulance dispatching point for southern Dallas, and, as it happens, just two short blocks from the scene of the murder. The dispatcher, Dudley M. Hughes, Jr., who took the call from the police filled out an ambulance call slip with the code “3-19”—emergency shooting—and sent one of his drivers, Clayton Butler.

Butler and his assistant, Eddie Kinsley, got to the scene within 60 seconds of leaving the funeral home. He remembered there were at least 10 people standing around the body which was covered by a blanket. They didn’t realize it was a policeman until they took the blanket off. Their testimony that it took them only one minute to get to the scene is corroborated by the Wrights and by the managers of the apartment house facing the murder scene. It is also corroborated by the record of a Butler phone call to the funeral home when he reached the hospital at 1:26. This is in flat contradiction to Mrs. Markham who testified that the ambulance didn’t come for 20-25 minutes.

Incredibly, none of the people mentioned were called by the Commission. Not Butler, not Kinsley, not the dispatcher, not the managers of the apartment house, not Mr. or Mrs. Wright. They are not on the list of witnesses. Nor, as far as we know from the Report, are any of the people standing around, some ten or more people, including whoever covered the body with a blanket.
Yet the police did know about them, for they tried to tell the police at the time what they saw. It is simply incomprehensible that the Commission which, we must remember, boasts that it followed all the leads from whatever source, to the extent of 26,550 interviews, should have overlooked these witnesses. They were known to the police and readily available. Why weren't they called?

It seems at least possible that they were deliberately not called, because their testimony might have undermined the official case of the police and the FBI (now the Commission's as well) that (a) Oswald killed Tippit, and (b) that Oswald was alone at the time. Either of these assumptions, or both, are nullified if Mr. Wright's observations are accurate:

It seems to me that I saw him [Tippit] just as he hit the ground. I saw him turn over and he didn't move any more . . . I saw a man standing right in front of the car. He was looking toward the man on the ground . . . He had on a long coat. It ended just above his hands. I didn't see any gun. He ran around on the passenger side of the police car. He ran as fast as he could go and he got into his car. His car was a grey, little old coupe. It was about a 1950-1951, maybe a Plymouth. . . . I've seen what came out on television and in the papers but I know that's not what happened. I knew a man drove off in a grey car. Nothing in the world's going to change my opinion. I saw that man drive off in a grey coupe just as clear as I was born. (New Leader, Oct. 12, 1964 italics added)

We don't know how accurate Mr. Wright is. He sounds positive, and portions of his testimony are corroborated by his wife and by the time-records of the ambulance service. Further, he gives a lead to check on his accuracy by referring to another person who saw the murder scene when he did.

About the same time I came out, or maybe a little while after, a woman came down from her porch. She was at the house about three or four doors from the intersection of 10th and Patton. The house was on the same side of the street as the police car. Just as the man in the car pulled away she came toward the police car and then she stepped back. I heard her shout, "Oh, he's been shot!" throwing up her hands. Then she went back up towards her house. There was no one out there except me and that woman when I got there. . . . I was the first person out. I knew there wasn't anyone else there at all. It wasn't any time at all before the ambulance got there. By the time the ambulance got there, there were maybe 25 people outside. Then after a while the police came up.
It should be easy enough to find the woman from the porch and check on Mr. Wright's accuracy. His testimony, if true, completely demolishes that of Mrs. Markham, whose credibility is extremely shaky. One may recall that Mrs. Markham told the Commission she had not talked to Mark Lane, whereas she had, and later admitted it to the Commission. She set the time of the shooting at 1:06, an assertion which the Commission implied was a vague speculation by critics, whereas it wasn't at all speculative: it is the time given in an affidavit which Mrs. Markham signed for the police the afternoon of the murder. The Commission never mentions this affidavit, any more than it mentions that of Weitzman identifying the rifle as a Mauser. Mrs. Markham also told the Nashes the ambulance came 20-25 minutes after the shooting, whereas it was about two minutes. The Commission had many indications of her unreliability, yet took her word when it suited its purpose:

Addressing itself solely to the probative value of Mrs. Markham's contemporaneous description of the gunman and her positive identification of Oswald at a police lineup, the Commission considers her testimony reliable. (p. 157)

A word should be said about these police lineups, for the Commission stresses them saying that five people who saw the man with a revolver at the scene or in the vicinity of the murder identified Oswald in a lineup the evening of November 22, and one identified him the following day. The lineup consisted of Oswald and only three other persons: two teenage boys and a man of Mexican descent. Oswald's face was the only one cut and bruised. Taxi driver Whaley, who also picked Oswald from this lineup, testified that Oswald was "bawling out the policemen, telling them it wasn't right to put him in line with these teenagers . . . they were trying to railroad him." Oswald's opinion of the lineup seems hardly exaggerated; as Kempton points out, it "is hardly a model of police practice." Yet the Commission states blandly: "The Commission is satisfied that the lineups were conducted fairly." Perhaps by prosecutors' standards they were.

Mr. Wright's testimony, if sustained, demolishes the Commission's version of the Tippit murder. He specifically states that aside from the man who got away in the car, he saw no one else running away. It should be recalled that Mr. Wright ran out of the door as soon as he heard the shots, that he was two feet away from the door, and that his apartment is on the ground floor facing the street. He says:

I couldn't figure out who did the shooting. I didn't see a gun on the man who was standing in front of the car. There wasn't anyone else but the man who drove away and the woman who came down her porch. I was the first person
out... I know what I saw. They can say all they want about a fellow running away, but I can't accept this because I saw a fellow get in a car and drive away. (italics added)

Before the Report came out, Marquis Childs wrote in his column “Washington Calling:”

... conscientious members of the staff and the Commission itself are haunted by a nightmare, such as: The Report is completed, it is locked up in printed proofs and the release date announced; then a new and dramatic piece of evidence comes to light that invalidates the conclusions in the Report... (3/17/64)

A Commission dedicated to the full truth would have had nothing to fear from further disclosures. The evidence of the Wrights may make the nightmare a reality. If true, it wrecks the Commission's version of the Tippit killing. Even if not true, the omission of these key witnesses proves that the Dallas police are covering something up, and that the FBI, in turn, has covered up for the police.

As for the Commission, there are two alternatives: either it knew about these witnesses and suppressed them, or it did not know about them, having been lied to by the Dallas police and the FBI. The Commission was warned not to rely on these agencies by many editors and columnists whom I have quoted in Oswald: Assassin or Fall Guy? precisely because these agencies' statements had been so contradictory as to cast suspicion on their integrity.

The suppression of witnesses to the Tippit murder is only the most indefensible of the tactics used by the Commission in their handling of witnesses. The Commission arbitrarily accepts or rejects testimony depending on whether it does or does not fit in with the prosecution's theory. It accepts testimony of witnesses who have repeatedly made false statements, such as Mrs. Markham, or who are vague and contradictory, such as taxi driver Whaley. On the other hand, it rejects the testimony of such reliable witnesses as newspaperman Seth Kantor who swore he spoke to Ruby at the Parkland Memorial Hospital around 1:30 P.M.

The Commission dismisses Kantor's testimony on the grounds that Kantor was talking long distance until 1:27 P.M. and that Ruby put in a long distance call from his club Carousel at 1:45 P.M. Since it would take 9 or 10 minutes to get from the hospital to the club this, says the Commission, left too few minutes (8 minutes) for the meeting to have taken place. Therefore Kantor is mistaken, although he had known Ruby well for five years and testified that he exchanged words with Ruby at the hospital. Further Ruby was seen by a Mrs. Tice at the hospital. The Commission dismisses
her too because "she had never seen Ruby before, allegedly saw him only briefly then." But the Commission accepted Brennan's testimony that he saw Oswald, although Brennan had never seen Oswald before, and allegedly saw him only briefly, in a window six stories up of a building over 100 feet away. The Commission shifts its criteria of reliability according to its needs.

Another technique of the Commission is to relegate crucial testimony, which contradicts its theory, to the relative obscurity of the verbatim transcripts which are to be released later. Thus the immediate public impact of non-conforming testimony is skillfully precluded. Obvious instances of this technique are Bobby W. Hargis (the motorcycle policeman) and Mrs. Jean Hill, both of whom were alongside the President's limousine when the shots were fired, and whose cases will be discussed shortly.

Finally, the Commission does not mention in the Report, and excludes as witnesses, a substantial number of people who would certainly have been interrogated if alternative theories of the assassination had been tested, as the Commission says they were. The most glaring example is the question of whether shots were fired from ahead of the limousine, in the area west of the Depository and particularly from a grassy knoll by the railroad yards. Of lesser importance, but of great potential value, is the failure to call all those involved in the advance preparations for the President's visit and the determination of the route, including the detergent which brought the President under the Depository window.

The Secret Service presumably checked the route in great detail. Thus, in discussing "The Motorcade Route" the Warren Report states that along the proposed route from the airport to Main Street, the Secret Service eliminated "a short stretch of the Central Expressway," because it presented "a minor safety hazard." The Report does not discuss the nature of the "minor safety hazard" along the Central Expressway. Could it have been the big "Impeach Earl Warren" signboard which the John Birch Society had set up precisely in that area (at Hall Avenue and Central Expressway)?

How was the major safety hazard of a tall building overlooked, when that building was at the spot where the motorcade had to slow down to a crawl? The former head of the Secret Service, Mr. U. E. Baughman, told newspapermen that it was a "basic, established rule" that people be kept out of top stories of tall buildings. Yet the Dallas police gave no instructions to the building manager. The Secret Service gave none to the Dallas police. And the FBI did not even bother to mention to the Secret Service that in that dangerously situated building was employed a self-proclaimed Marxist and former soldier who owned a rifle equipped with a telescopic sight!

All this is now conceded, yet the Commission sees no hint of
collusion in it, but blandly dismissed the whole thing as an instance of “insufficient liaison” between the three protective agencies involved. The Commission gently slapped a few wrists, where heads should have been rolling.

Defenders of the Warren Report, such as Mr. Belli, have argued that in every murder case, many potential witnesses are not called, particularly when sufficient evidence exists for conviction; that is why the Commission did not call or cross-examine all the individuals who jointly determined the motorcade route. If Oswald is the lone assassin, it is argued, their testimony is not important.

But that is precisely the point. The Warren Commission in accepting and working on a single hypothesis acted as a prosecutor and not as a fact-finding body dedicated to amassing all the evidence possible and testing all theories advanced, including the initiation of investigations to test those theories. By assuming the prosecutor’s role, the Commission automatically downgraded, if not completely eliminated, the rigorous testing of other hypotheses. If, as Kempton shows, the Warren Commission’s case is such that “the absurd really explains” the assassination, then alternative hypotheses could have been tested for relative degrees of absurdity.

Having asserted an hypothesis which contains grave contradictions, the Commission might well have considered and tested another hypothesis: that more than one man was involved; that one assassin, posted in the area of the grassy knoll, initiated the shooting, while his confederate in the building created a diversion by shooting from a window, any window. Does evidence exist to sustain this hypothesis prima facie and to warrant the most thorough investigation of its merit? There is considerable evidence which is at least as strong as that supporting the Commission’s thesis. The strongest body of evidence is twofold: the direction of the bullets and the number of shots fired. I consider each in turn.

**The Director of the Shots**

Prior to the Report, the Parkland Hospital doctors had asserted that the wound in the President’s throat was an entry wound. When films showed the President facing forward it necessarily followed that some shots had come from in front of the limousine. The obvious source was the Triple Underpass or railroad bridge ahead of the car, which had a balustrade to afford both concealment and slots for firing. Newspaper reports gave the impression that the underpass had been unguarded and that individuals had been seen running on it after the shooting.

The Report now tells us that there were two policemen and some 15 other individuals on the underpass. The Report uses this
fact to bolster its contention that it found "no credible evidence" that any shots were fired from anywhere else [than the Depository]" (p. 80) although it concedes that many people believe shots came from "the railroad bridge over the Triple Underpass or from the area to the west of the Depository." (p. 80)

This area consists of railroad yards, parking areas for cars, trees, bushes, pergolas, wooden fences, a concrete wall, and a grassy knoll sloping down to Elm Street. Police, says the Report, "were under instructions to keep 'unauthorized' people away from these locations . . ." This area is roughly the size of two football fields and it could be observed by a railroad worker Lee E. Bowers, who was in a railroad tower, 14 feet above the tracks and about 100 yards north of the underpass. Bowers, at work, couldn't have been paying too close or sustained attention to the whole area. Nevertheless in the 20 minutes before the shooting he noticed three or four people plus at least three automobiles, two of which he thinks didn't discharge any passengers. The inference is that the other one did, although we are not told so. There is nothing in the Report to indicate who those people were, and whether they were "authorized" to be there. It seems reasonable to assume that it would have been fairly easy for an individual to get into the area and to have a rifle concealed there beforehand.

The Commission's assertion that it found "no credible evidence" that shots came from this area is vitiated by the fact that it didn't call the most important witnesses who said there were shots from a direction other than the Book Depository. To begin with, there were four women on the staff of the Dallas Morning News, Mary Woodward, Maggie Brown, Aurelia Lorenzo, and Ann Donaldson, who were on the grassy knoll overlooking Elm Street. Miss Woodward wrote an eyewitness account for her paper, explaining that they sat there, "since there weren't very many people there and we could get a better view . . . After acknowledging our cheers, he [Kennedy] faced forward again and suddenly there was a horrible, ear-shattering noise coming from behind us and a little to the right," that is, from the area we have described. (italics added) The Depository was to their left. Miss Woodward goes on to say, "About 10 feet from where we were standing, a man and a woman had thrown their small child to the ground and covered his body with theirs. Apparently the bullets had whizzed directly over their heads."

No bullet fired from the Depository could have whizzed over the grassy knoll and then hit the President; but any bullet coming from the area in question would have gone over the four women and over the couple with the child. So far as I know that couple was never identified—certainly never called. I should point out here that the Commission does not give the names of people interviewed
by the police, the FBI, or the Secret Service. The Report gives an official “List of Witnesses” who were called by the Commission to give testimony, either orally or by deposition, affidavit, or statement. Presumably, if a witness is not on this list, the Commission has not considered their testimony.

Another eyewitness to the assassination who was not called is Charles Drehm, 38, of 1619 King’s Highway, a carpet salesman. According to the Dallas *Times Herald* (11/22/63), “Drehm said he was within ten feet of the President at the time of the shooting . . . He told police minutes after the shooting the President appeared to be hit twice . . . Drehm seemed to think the shots came from *in front of or beside* the President. He explained the President did not slump forward as he would have after being shot from the rear . . .” (italics added)

The two witnesses closest to the limousine (outside of the motorcycle escort) were two women, Mrs. Jean Hill, a schoolteacher, and Mrs. Mary Moorman, a housewife. They were on the south side of the limousine, the side away from the four girls and the anonymous couple. The Dallas *Times-Herald* reported that “Both women claim they were directly in the path of the bullet,” i.e., in the line of fire from the grassy knoll. Mrs. Moorman was not called at all by the Commission, although she took a Polaroid snapshot of the President the instant he was shot. The snapshot was confiscated by the FBI and is not mentioned in the Report (neither is Mrs. Moorman). It remains to be seen if it will be published later among the exhibits. Mrs. Hill was called and was mentioned in the Report, but without a word as to her testimony on the shots.

One of the most important witnesses who does not appear on the list is O. V. Campbell, the vice-president of the Book Depository firm, who was standing with Superintendent Truly in front of the building when the shots were fired. Campbell told reporters that “he ran toward a grassy knoll west of the building where he thought the sniper was hidden.” (Dallas *Morning News*, 11/23/63)

But perhaps the most amazing omission of eyewitness testimony to the assassination is that of B. W. Hargis, who is listed, in the Report, as having been called. Hargis was the motorcycle policeman closest to the President and a signed article by him appeared in the Dallas *Times-Herald* within hours of the assassination:

> . . . I was just to the left fender almost right beside the President and his wife. Mrs. Kennedy was on the side that I was riding on. I was a couple of arm lengths away from her and about two feet from the car.

> About halfway down between Houston and the underpass, I heard the first shot. *It sounded like a real loud firecracker.*
When I heard the sound, the first thing I thought about was a gunshot. I looked around and about then Gov. Connally turned around and looked at the President with a real surprised look on his face.

I racked (parked) my motorcycle and jumped off, I ran to the north side of Elm Street looking to see if I could find where the bullets were coming from . . . (italics added)

The north side of Elm Street is the area with the grassy knoll we've mentioned. Two other police officers thought this is where the sniper was. A motorcycle officer, Clyde A. Haywood, according to the Report, was seen by "Bowers and others . . . dismount hurriedly and come running up the incline on the north side of Elm Street," that is, the grassy knoll. Another officer, Weitzman, the one who later was the first to find the rifle, says, in the famous affidavit identifying the Mauser, that when he heard the shots, "I ran in a northwest direction and scaled a fence towards where we [he and his police partner] thought the shots came from." This affidavit is not mentioned in the Report, but a copy is in Mr. Lane's possession, and I have a copy which was sent to me in an unmarked letter from Dallas.

That wooden fence on top of the grassy knoll attracted the attention of another reliable witness, Mr. S. M. Holland, signal supervisor of the Union Terminal Company, who was on the underpass looking down at the President's car. According to the Report, Holland said "there were four shots which sounded as though they came from the trees on the north side of Elm Street where he saw a puff of smoke." Elsewhere the Report states that Holland "immediately after the shots ran off the underpass to see if there was anyone behind the picket fence on the north side of Elm Street."

The trees and fence are on top of the grassy knoll behind Miss Woodward and her friends. All these witnesses gave their testimony independently, and all of them agree as to the source of firing. Holland's opinion, for example, is corroborated by others on the underpass. Says the Report: "Frank E. Reilly, an electrician at Union Terminal, heard three shots which seemed to come from the trees 'on the north side of Elm Street at the corner up there.'" Another witness on the underpass, Austin L. Miller, "heard three shots and thought they came from the area of the Presidential limousine itself." Another, Thomas J. Murphy, "heard two shots and said they came from a spot just west of the Depository," that is, the area in question.

If the Commission doesn't have "credible evidence" of the direction of the shots, it is because the Dallas police, the FBI or the Secret Service didn't produce the witnesses who would have given
such testimony. These investigative agencies, it should also be noted, have not identified or produced seven of the thirteen railroad employees who were on the underpass and witnesses to the murder, just as they have not produced any of the ten to twenty people around Tippit’s body when the ambulance arrived, and only two of the twelve or more people in the theatre when Oswald was arrested. One would think that these people would be important enough to be included in the 26,550 interviews conducted.

The Commission makes a great deal of the fact that no one was seen carrying a rifle in that area. Perhaps if the investigative agencies had combed the area as quickly and as thoroughly as they did the Depository Building they might have found clues, such as possible hiding places for rifles or assassins. In this connection I received the copy of a letter sent to the Warren Commission on April 14, 1964, pointing out that there should be an investigation of the sewer system: “The maze of huge drain conduits under the city of Dallas open into the channel of the Trinity River bed. The ‘river’ itself is only a trickle most of the time. An AAA street map of Dallas shows that the Trinity River channel is quite near the assassination spot and runs parallel to the Stemmons Freeway.”

My correspondent also points out that there is a drain on Elm Street quite close to the spot where the President’s car was at the moment of the shooting. One, would think that a Commission, which said it had scrupulously followed leads from all sources, might have focussed attention on the sewer system of Dallas. There is no evidence in the Report that it did so.

The direction of the bullets could also be determined by the location of the entry wounds, particularly the question of whether the wound in President Kennedy’s throat was an entry or an exit wound. The evidence of the wound itself was destroyed when the doctors at Parkland Memorial performed a tracheotomy, and, at that time, they all thought it was an entry wound. According to the Commission, the autopsy established that it was an exit wound, and that the bullet had entered the back of the President, making a small hole. Inexplicably, in the one and same Report, two different locations of the entry wound are given by the FBI, on one hand, and the autopsy report on the other. The autopsy report says (p. 90) the hole is about 5½ inches from the tip of the right mastoid process, the bony point immediately behind the ear. This puts the hole near the spine at a high shoulder level. The FBI says (p. 95) that the hole in the coat is 5¾ inches below the top of the coat collar, and 5¾ inches below the top of the shirt collar, both a little over one inch to the right of the center seam. This puts the FBI hole at least 3 inches below the autopsy hole, as the reader can test for himself. In the photographs the President is clearly sitting straight, the coat
smooth on his shoulders. The coat collar would have had to be around his ears for the holes to coincide, and the shirt would have had to crumple upward in precisely the same manner. Corroborative evidence that the hole in the coat is lower than the location given by the autopsy comes from the Report itself. This incident is interesting because it makes clear how it is that the Commission, trying to bolster one part of its case—on the missing bullet—unwittingly provides evidence which undermines another part. Says the Report:

Some support for the contention that the first shot missed is found in the statement of Secret Service Agent Glen A. Bennett, stationed in the right rear seat of the President's followup car, who heard a sound like a firecracker as the motorcade proceeded down Elm Street. At that moment, Agent Bennett stated: "... I looked at the back of the President. I heard another firecracker noise and saw that shot hit the President about four inches down from the right shoulder . . ."

Substantial weight may be given Bennett's observations . . . his notes indicated he recorded what he saw . . . prior to the autopsy, when it was not yet known that the President had been hit in the back. It is possible, of course, that Bennett did not observe the hole in the President's back that might have been there immediately after the first noise. (p. 108, italics added)

The location of the hole in the back is a crucial element of the case. Given the undisputed location of the throat wound, if the hole in the back is at high shoulder level, as the autopsy says, the bullet ranged downward from back to front; if the holes in the coat and shirt exist, as stated by the FBI, then the bullet ranged upward from back to front. In the first instance, the trajectory is consistent with the bullet being fired from the Depository window, entering the back and ranging slightly downward to exit at the throat. In the second instance, it is impossible for the bullet to have been fired from the Depository window. In fact, the bullet would have had to be fired from a gun inside the limousine at the back of the President—an obvious impossibility.

Let us next look at the same two paths from the front. The hole in the throat is now an entry wound. The bullet, therefore, would have ranged upward, according to the autopsy; downward, according to the coat and shirt holes. On the evidence of the autopsy, the bullet would have had to come from the pavement level, say from a sniper hidden in a drain on the street. Though unlikely, this possibility cannot be logically excluded, since there was such a drain on Elm Street, ahead of the limousine and to its right.

On the evidence of the coat, the bullet would have had to come
from ahead and higher than the car, such as the area of the grassy knoll. It would have entered the throat, ranged downward and exited at the back. The coat and shirt are decisive evidence which still exists, whereas the autopsy has destroyed the wound evidence.

The autopsy was conducted on the evening of the assassination, November 22, and we know that the FBI had access to it. Yet there is clear evidence that the FBI did not trust the autopsy completely and relied on the evidence of the coat. According to the New York Times, as late as December 6, 1963, the FBI was reconstructing the crime in Dallas on a premise—totally contrary to the autopsy report—that the throat wound was an entry wound, and that the President had been turning his head towards the Depository. This is 13 days after the autopsy report which was conclusive. I am indebted to Mr. Crawford, of New York University, for pointing out this weighty evidence over station WBAI. Says the Times:

Thirteen days after the assassination of President Kennedy, Federal investigators were still reconstructing the crime on film today. . . . One question was how the President could have received a bullet in the front of the throat. . . . One explanation from a competent source was that the President had turned to his right to wave and was struck at that moment.

The best authority presumably on the exact angle of entry of the bullet is the man who conducted the autopsy. He is Dr. J. J. Humes at the Naval Medical Center, Bethesda, Md. Dr. Humes said he had been forbidden to talk.

There is another serious challenge to the accuracy of the autopsy. Dr. McClelland, who performed the tracheotomy, told Dudman that hospital doctors, including himself, still thought the throat wound an entry wound. McClelland was never interviewed by the Commission, which simply took his, as yet unpublished, deposition. But the Commission did publish McClelland's handwritten report (exhibit 392, p. 490), made at 4:45 P.M., the afternoon the President died, in which McClelland states: “the cause of death was due to massive head and brain injury from a gunshot wound of the left temple.” (italics added) The autopsy report places the wound on the right. This discrepancy is not even noted, let alone explained.

Another troublesome feature of the autopsy report (E. 387, p. 504) is the statement that “Black and white and color photographs depicting significant findings are exposed but not developed. These photographs were placed in the custody of Agent Roy H. Kellerman of the U.S. Secret Service.” Why weren’t these photographs developed when others were? Will they be printed in the forthcoming exhibit volumes?
The doctors at Parkland Memorial Hospital who had taken the throat wound as an entry wound have now changed their mind, according to the Report. Only two are quoted, Drs. Carrico and Perry. Both word their testimony very carefully, saying they now believe it was an exit wound subject to the facts and the assumptions posited by the Commission. (p. 92) Although the Report says other doctors agree, we are not given their names or testimony. As we have already noted, at least one, Dr. McClelland, did not agree with the findings of the autopsy. In my book, Oswald: Assassin or Fall Guy? I urged a public confrontation and discussion of all the doctors who dealt with Mr. Kennedy, both at Parkland Memorial Hospital and at Bethesda Naval Hospital. The need of such a confrontation is now even more imperative.

The evidence presented thus far certainly warrants a thorough investigation of the hypothesis that there was a sniper on the area near the grassy knoll, and that the assassin in the Depository was to create a diversion. This hypothesis would solve one of the puzzling elements in the testimony of the witnesses who saw a person at the sixth story window. They all said that the man did not seem to be in a hurry. One of the witnesses, Ronald Fischer, was even more explicit:

He didn't look like he was watching for the parade. He looked like he was looking toward the Trinity River and the Triple Underpass down at the end—toward the end of Elm Street. And . . . all the time I watched him, he never moved his head, he never—he never moved anything. Just was there transfixed. (p. 136)

The Commission is now disbanded so it is beyond the reach of the American public as a source of explanations. Without enormous public pressure, no further committee of inquiry will ever be officially established. The contradictions and evasions in the Report are the most important tools with which to create that public pressure. None of these contradictions is so glaring as the Report's handling of the number of bullets fired at the scene of the assassination.

The Number of Bullets

There are several critical approaches which undermine the credibility of the Warren Report, but perhaps the most fruitful is an examination of the number of bullets fired. Here the Commission literally throws up its hands, although it also brings to bear here all the paraphernalia of questionable "scientific" tests. Their elaborate expertise founders before the cussedness—or should we say, integrity—of a political conservative, Governor John Connally of Texas.

As I've pointed out in my book, any theory which maintains
that Oswald was the lone assassin of President Kennedy, using the Carcano rifle, depends completely and inexorably on only three shots having been fired. The Carcano simply cannot fire more than three shots in the time span physically set by the film of the assassination. It is, as we have seen, highly questionable that Oswald could have been so accurate in firing three shots; four is an absolute impossibility. I am informed on good authority that a Commission staff member has said that if there were four shots, Oswald could not have been the only person involved. A conspiracy, however small, would logically follow.

I should point out here that the Commission tends to look for proof of conspiracy only in the narrow sense of whether Oswald and Ruby knew each other, or whether Ruby knew Tippit or Tippit knew Oswald, and so on. It does not set itself a broad hypothesis, warranted by some of the evidence, and then seek dispassionately to prove or disprove its thesis. The number of bullets involved is a case in point.

The Commission asserts that only three shots were fired, primarily because three spent cartridges were found on the floor by the sixth story window. It bolsters this evidence by saying the “consensus among the witnesses at the scene was that three shots were fired.” (p. 107) This consensus is dubious. A very large number of witnesses mentioned in the Report thought there were four or more shots. Besides those we have given there was Amos Lee Euins, who saw a man firing from the window and said there were four shots. Royce G. Skelton, on the underpass, thought he heard four shots. Secret Service agent Kellerman, in the front seat of the limousine, said that after the first shot he heard “a flurry of shots.” There are also witnesses, called by the Commission, whose testimony that they heard four shots is omitted, although other parts of their testimony are given. A witness, James R. Worrell, Jr., who said that he saw a man running from the rear of the building shortly after the assassination also testified he heard four shots. He told reporters after giving testimony to the Commission on March 10, 1964: “I don’t care what anybody says: I heard four shots.” His testimony to this effect is not mentioned in the Report. More important, Mrs. Jean Hill’s testimony to the effect that she heard from four to six shots is not given in the Report, although she too appeared before the Commission.

Mrs. Hill asserts that the FBI and the Secret Service pressured her to say she only heard three shots. In a taped interview with Mark Lane she told him that a Secret Service agent, after vainly trying to get her change her mind, said that he also thought there had been four shots, but they only had three cartridges and three wounds so they stuck to three shots.

More decisive than either spent cartridges or witnesses’ opinions,
however, is the number of bullets found or deduced from wounds or physical marks. The Commission here finds itself with a problem it cannot resolve, for the preponderance of evidence is that there were at least four bullets.

In simplest terms, the problem is this: one bullet hit President Kennedy in the back, one bullet hit Governor Connally, one bullet hit President Kennedy in the head, one bullet missed the car entirely and hit a curb on Main Street. Total: four bullets. The Commission gets around this dilemma by suggesting that one bullet hit both the President and Governor Connally.

The Commission is strongly of the opinion that one “shot probably missed the Presidential limousine.” (p. 112) In part, this opinion is a logical exercise: if one shot went through both the President and the Governor, if one shot hit the President in the head, and if only three shots were fired, “it follows that one shot probably missed the car.” (p. 107) In part, however, there is physical evidence that a bullet struck a curb between Main and Commerce Streets near the Underpass. James T. Tague, who was standing there, was struck on the cheek during the shooting by some object, presumably a piece of cement. He talked to Deputy Sheriff Walthers, who was examining the turf nearby (we are not told why), and Walthers found the mark on the curb. Tague stated: “There was a mark quite obviously that was a bullet, and it was very fresh.” Scientific examination of the mark by FBI experts disclosed metal smears which, “were spectrographically determined to be essentially lead with a trace of antimony.” The mark on the curb could have originated from the lead core of a bullet but the absence of copper precluded “the possibility that the mark on the curbing section was made by an unmutilated military full-jacketed bullet such as the bullet from Governor Connally’s stretcher.” (p. 111)

It is clear from this testimony that the Commission, if it had so desired, could have characterized the mark on the curb as made by a fragment. It didn’t say it wasn’t, but it downgrades the possibility: “Even if it were caused by a bullet fragment . . .” (p. 112) The Commission chose to think it was a bullet in part because it clung to the hypothesis that one bullet went through both the President and the Governor. Yet, as will be shown shortly, this last is highly dubious.

There would be no puzzle if the Commission had acted throughout as a fact-finding body, rather than as a prosecutor, and the Report had given all evidence as ascertained, without omissions, evasions, and coloring of the facts. The only place where this is done concerns the question of the four bullets: here the Commission is at its most candid, and the result is that it is at its most tentative in drawing conclusions.
Since the question of four bullets is so crucial to whether Oswald was the only assassin, this uncharacteristic style of presentation merits some consideration. The one advantage to the Commission's case of a missed bullet is that it can stretch the time gap on the three shots of 4.8-5.6 seconds to 7.1-7.9 seconds, on the assumption that the first or third shot missed. This is not a negligible advantage in view of Oswald's marksmanship abilities and of the rifle's capabilities. Hence the Commission objectivity is not without reason.

Further, the Commission's objectivity may be due to the fact that the evidence on the curb is stronger than the FBI presents; both Tague and Walthers might have challenged it, particularly in view of what seems to be FBI negligence in handling evidence. The piece of curb with the evidence on it was allowed to be exposed to the elements for 8½ months after the assassination. The New York Times of August 6, 1964, states:

A foot-long section of curbing, believed to hold the markings of a stray bullet fired when President Kennedy was assassinated, was removed today and sent to Washington to be examined by the Warren Commission.

Did the FBI do its spectographic examination at the time, on the spot, or after the curb was removed to the FBI laboratory?

The unusual objectivity may also be the result of a Commission staff member in charge being more rigorous in his procedures than other staff members working on other sections.

Whatever the reason, the section on the one bullet-two wounds question contains evidence pro and con on many a given point. For example, although the Commission would prefer to stretch the time span of the shooting (that is, that the first or third shot missed), it gives Mrs. Kennedy's testimony that neither the first or third shot missed; Tague's testimony that the second shot was the one that missed; Altgen's testimony that he was certain the shot which hit the President in the head was the last shot.

Assuming that the Commission's judgment is here correct and that one bullet missed, let us examine its contention that one shot went through both the President and Mr. Connally.

The evidence for this contention is extremely slim, and the arguments are correspondingly anemic. There are three major arguments. The first is that the angle of entry in both men is consistent with a single trajectory, as tested by elaborate surveying tests. In fact, no one knows exactly how the bodies were in relation to each other at the actual moment of impact and the Commission concedes this:

The alinement of the points of entry was only indicative and not conclusive . . . the exact position of the two men could not be re-created. . . . Had President Kennedy been leaning
forward or backward, the angle of declination . . . would have varied. . . . That drawing [of the angle] . . . could not reproduce the exact line of the bullet since the exit wound was obliterated by the tracheotomy. Similarly, if the President or Governor had been sitting in a different lateral position, the conclusion might have varied. Or if the Governor had not turned in exactly the way calculated, the alinement would have been destroyed. (p. 104-5)

This is an admirable way of presenting all conflicting possibilities, and if the entire Report had been presented as impartially, there would be no suspicion of a prosecuting bias. A reader could make up his own mind as to the relative probability of any series of events.

However, if the physical evidence of the coat is accepted and the location of the hole is as stated by the FBI, then it is impossible for the bullet that hit the President to have also created the Governor's wound. It may be significant that the photograph of the reconstruction of the assassination by two FBI men in Dallas May 24, 1964, which was published in the New York Times, June 1, 1964 (and reproduced on the inside front cover of the Bantam edition) shows an alinement which shows the location of the hole on the President's coat several inches below the autopsy report.

The second major argument for the one bullet-two wounds theory is the velocity of the bullet. This is a highly technical ballistic argument. The muzzle velocity of the rifle was determined to be 2,169 feet per second. The velocity at 180 feet (approximately where the President was hit) was set at 1904 feet per second and the exit at the throat at 1772-1798 f/s (p. 94). The bullet presumably lost only 106-132 f/s velocity through the simulated neck.

On Governor Connally's body, the bullet went through his chest, smashing a rib, fractured his right wrist, and slightly penetrated the left thigh. The experts estimated that a pristine bullet through the chest and hitting a rib would lose 400 f/s velocity which, they say, would give an exit velocity of 1500 f/s. At this velocity, they say, the fracture of the wrist would have been more extensive and the penetration of the thigh deeper.

It all sounds terribly scientific and precise and obviously beyond the reach of amateurs. But one doesn't have to be an expert to know arithmetic. What the experts are saying is that a change in velocity of less than seven-tenths of one per cent (132 f/s) is so significant that they can tell the kind of wounds it should make. Now look at the variation in tests given by the Report itself (pp. 535-536): At 210 feet, the average striking velocity of a group of 11 shots was 1,929 f/s. At the same distance, another group, of an unknown number of shots, averaged 1,858 f/s.

That is, at identical distances, the variation in the average of
two sets of shots is 71 f/s, or over half the 7/10ths of 1% the experts found significant. And this is only the average: We have no idea what the variation is between individuals shots. The estimate of a velocity loss of 400 f/s for a bullet going through the chest and shattering a rib is also a rough estimate. The Commission concedes that the “bullet lost substantially more velocity than 400 feet per second.” (p. 537)

In other words, all this expertise resolves no problems. There is also much statistical play with the yaw of the bullet, deformation, etc., all, as with velocity, educated guesswork. These tests are not totally useless, but the results are of the same order as that of the alinement: purely conjectural. Yet, in contrast to the honesty with which the alinement issue is presented, they are put forward as positive and decisive.

An overall point on expertise in the Report is worth making. In a trial, a defense attorney would have his experts examine the conditions and conclusion of tests. Here we have to take the Commission’s word. Yet if the treatment of velocity tests is any indication of the validity of the rest, all are open to question, whether on bullets, fibers, etc.

The third argument for the one bullet-two wounds thesis is a very strong one and beautifully calculated by the Commission. It has to do with a re-enactment, frame by frame, of the events, using a camera mounted on a rifle with a scope at the sixth-story window. The Zapruder film, frame by frame, was used for precise re-enactment.

On the Zapruder film, the President begins to clutch his throat at frame 225. Before frame 210, the foliage of a tree interferes with the target. Fifteen frames, or eight-tenths seconds, was deemed proper reaction time for the President. So the Commission settles on frame 210 as the time of the shot.

The position of Governor Connally in the Zapruder film is such that after frame 240 he couldn’t have been hit from the Depository. Therefore, he had to be hit 30 frames, at most, after the President. This is impossible, for 30 frames is only 1.6 seconds, and the minimum reloading time has been established at 2.3 seconds.

Actually, the disparity is even worse, for Connally, having looked at the film, is sure he was hit between frames 231 and 234. Even assuming he is off a frame or two, we know that he couldn’t have been shot after frame 240. Therefore, says the Commission,

If Governor Connally was hit by a separate shot between frames 235 and 240 which followed the shot which hit the President’s neck, it would follow that: (1) the assassin’s first shot, assuming a minimum firing time of 2.3 seconds (or 42 frames), was fired between frames 193 and 198 when his view was obscured by the oak tree; (2) President Kennedy
continued waving to the crowd after he was hit and did not begin to react for about 1½ seconds; and (3) the first shot, although hitting no bones in the President's body, was deflected in such a way that it failed to hit either the automobile or any of the other occupants. (p. 103)

The Commission rightly considers each point improbable and uses the brevity of the gap between frames 210-240 (1.6) seconds as a strong argument that the same bullet hit both men. It is an elegant solution.

The trouble is that Governor Connally won't have it. He is "certain that he was hit by the second shot" (p. 62, italics added), because he heard the first shot and "the thought immediately crossed his mind that it was an assassination attempt." He turned to his right to look at the President, then turned to his left, "but he never completed the turn because he felt something strike him in the back." Connally told newsmen later that "It was evidently this turn which saved my life." (UPI dispatch from Dallas, 2/4/64.)

Mrs. Connally agrees with her husband. She "testified that after the first shot she turned and saw the President's hands moving toward his throat . . . she thought her husband was hit immediately thereafter by the second bullet." (p. 108) "Mrs. Connally heard a second shot fired and pulled her husband down into her lap. . . . The Governor was lying with his head on his wife's lap when he heard a shot hit the President." (p. 63) This was the third shot as they both "observed brain tissue splattered over the interior of the car."

The driver of the President's car, William Greer, heard a noise which he took to be a backfire. "When he heard the same noise again, Greer glanced over his shoulder and saw Governor Connally fall."

The Zapruder film completely vindicates Connally's recollection. The cover of Life, for October 2, 1964, reproduces four frames of the moment the President clutches his throat, and they clearly show Connally turned to his right trying to look at the President. Connally shows no indication of being hit. On page 43 of Life, eight more frames are reproduced. Frame 2 shows the President's arms just being raised towards his throat. Connally is facing forward, still unaware. The sound is just registering. Frame 3 shows Connally turning to his right; frame 4 just beginning to turn to his left; frames 5 and 6 continuing to turn. It is apparent that he has not been hit or at least that he is not conscious of it.

The Commission, which is reluctant to give Kennedy a reaction time of 1½ seconds, is perfectly willing to give it to Connally:

... there must be an explanation for Governor Connally's recollection that he was not hit by it [the first bullet]. There
was, *conceivably*, a delayed reaction between the time the bullet struck him and the time he realized he was hit, despite the fact that the bullet struck a *glancing* blow to a rib. . . . The Governor did not even know he had been struck on the wrist or in the thigh until . . . the next day.” (p. 109, italics added)

This is a perfect example of a prosecutor straining to make his case. Not only is a reaction time of 1½ seconds acceptable for Connally while it was not acceptable for Kennedy, but the Commission tries to strengthen this acceptability by downgrading the chest wound, a "glancing" blow at the rib, and by citing the non-awareness of a wrist wound and thigh wounds. In fact, the bullet *smashed* the rib—"shattered approximately ten centimeters of . . . the right fifth rib" (hospital report, p. 493, italics added)—and the pain must have been so excruciating, let alone the traumatic impact, that it obviously overrode any sensations on his wrist or thigh.

Above all, the film shows the Governor unconcerned and moving around, actions which are to the highest degree improbable in a man with a *shattered rib*, however conceivable it may be to the Commission. The plain fact is that the Commission cannot resolve its dilemma, and doesn’t. The entire question of one bullet-two wounds is left up in the air, although it is perhaps the most crucial element of the entire case. The impasse can be easily resolved, and all the time elements fall into place, on the hypothesis that one or more bullets came from in front, the area around the grassy knoll.

The evidence is extremely powerful that there were four bullets, and if the hole in the President’s coat is where the Report says it is, then the throat wound had to be an entry wound. This would entail another rifle, another sniper. This creates problems, but no greater than the existing ones. There were two fragments recovered in the car, one ⅛ the size of the bullet, the other ¼. They were identified as coming from the Carcano to the exclusion of all other weapons, but one may be pardoned for being sceptical of experts on this point. It is well known that experts have differed on whole bullets, let alone fragments. The only bullet which is almost entire is the one which went through Connally.

Some Broader Questions

Certain issues, not directly related to the Commission’s central thesis that Oswald was a *lone* assassin, do, however, relate to the impartiality and credibility of the Report which sustains that thesis. Foremost among these issues is the integrity of the Commissioners, particularly that of the Chairman, which has become obsessive with the liberal press, notably the *Nation*, the *N. Y. Post* and *I. F. Stone’s*
These publications, in editorials and articles, have called critics of the Report some harsh names, in strange violation of liberal decorum. I have been called, either by name or via generic language, "a leader of the conspiracy battalions," one of "aberrant needs" and "political myopia," an "amateur private eye and . . . free-lance James Bond," a "fantast," a "revisionist," a "left extremist," a "symptom of a sick age," a "demonologist," whose book is "rubbish" and full of charges which are "libellous," "sloppy," "dishonorable," and who belongs "in a booby-hatch."

The use of such language indicates how deeply the emotions are involved to the detriment of the usually rather detached and sceptical attitude of these publications towards the Establishment. Perhaps the most convenient way to deal with the issue of the Commissioners' integrity is to examine the most reasoned defense of the Report which has so far appeared. It is written by an expert in law and evidence who completely accepts the central findings of the Commission and yet, at the same time, documents many areas indicating bias or lack of integrity. The man is Herbert L. Packer, professor of law at Stanford University, writing in the Nation of November 2, 1964 on "The Warren Report: A Measure of the Achievement."

Since I intend to use Professor Packer to bolster my argument, it is only proper to present his defense on the central thesis of the Report, which is able, sober and tightly reasoned. I doubt a better job will appear. Certainly, anyone who is deeply concerned with the assassination and the Report should read the article in its entirety. Here is the core of Professor Packer's defense:

What I shall do is to separate out the central core of evidence that demonstrates beyond peradventure that one man, acting alone, fired all shots that were fired at the Presidential limousine and that the man was, beyond a reasonable doubt, Lee Harvey Oswald.

(1) All the wounds sustained by President Kennedy and by Governor Connally were inflicted by bullets fired from the rear and above. This is demonstrated by the medical report on Governor Connally and the autopsy report on the President, as corroborated by (a) examination of the bullet holes in the President's clothing . . . (b) the damage to the inside of the windshield . . . (c) the absence of any damage . . . caused from . . . the front.

(2) All of the shots were fired from the sixth-floor window of the Texas School Book Depository (TSBD). This is demonstrated by (a) the re-enactment of the shooting . . . which proved consistent with the medical and ballistic evidence . . . (b) the presence of three used cartridges on the floor near
the window . . . (c) the presence of a rifle on the same floor; (d) the absence of any bullets or bullet fragment not accounted for by the fire from the TSBD.

(3) The shots were fired from the Mannlicher-Carcano rifle found on the sixth floor of the Depository. This is demonstrated by the results of the ballistic tests on the bullet and bullet fragments . . . and on the cartridge cases . . .

(4) Oswald was the owner of the rifle used in the assassination . . .

(5) The shots could have been and probably were fired by Oswald. This is demonstrated by (a) Oswald's admitted presence in the TSBD . . . (b) the presence on the southeast corner of the sixth floor of a homemade paper bag bearing Oswald's left index finger and right palmprint; (c) the presence on the rifle barrel of Oswald's palm print; (d) the presence in a crevice of fibers in the rifle corresponding with samples taken from the shirt worn by Oswald at the time of his arrest; (e) the absence of any evidence pointing to the probability that any other person in the TSBD fired the shots.

That is the minimal case against Oswald. It will be noticed that in no detail does it require the acceptance of eyewitness testimony, disputed or undisputed . . . The minimal case against Oswald is far stronger than that against many criminal defendants who are with perfect propriety convicted and sentenced every day. [Italics in the original; omissions are for brevity and do not affect the arguments.]

Professor Packer is quite right that this case is sufficient to convict Oswald, only I add, if every major heading stands up. This the reader may judge for himself. Heading 1 is vitiated by the evidence on part (a): the holes in the President's clothing contradict the autopsy; heading 2 is rendered dubious by its part (a): the reenactment, as we have seen, is admittedly conjectural, and its consistency with medical and ballistic findings is strained at best and non-existent if there were four bullets; heading 3's validity depends on ballistic tests made on two fragments (one-eighth and one-quarter the size of a bullet) by the Commission's experts who have not been cross-examined or challenged. In view of the slipshod expertise on velocities, one would be well advised to treat all expert evidence with reservation until it can be subject to scrutiny. Heading 4, concerning ownership of the rifle, is irrelevant if possession at the time cannot be proven. Heading 5 implicitly asserts, without examination, one of the weakest points of the case, namely, that Oswald had the marksmanship capability to fire three shots in 4.8 to 5.6 seconds, and hit moving targets at the distance indicated.
I submit that Professor's Packer's minimal case against Oswald has not been proven. He states the issue fairly:

This central core of physical evidence is the case against Lee Harvey Oswald. It is the case that would have had to be discredited in a court of law if Oswald had lived to be tried. It is the case the revisionists must discredit ... they deserve attention if, and only if, they confront the central findings of the Commission and demonstrate their falsity in any regard. (italics added)

I have pointed out the probable falsity of a crucial part of the autopsy (based on the physical evidence of the coat and shirt, as reported by the FBI). This is a very simple thing to check. Further, I have dealt only with major issues in the minimal case, which contains many other points which a defense attorney, in a court of law, would have legitimately attacked.

For example, the fibers in the crevice of the rifle which corresponded to Oswald's shirt would be subject to question on (a) the expert's testimony that they do, in fact, correspond, or, if they did (b) when did they get there, since Oswald had the rifle a long time. One key unanswered question is whether Oswald had more than one shirt of the same kind. Even the Commission's expert wouldn't swear it was the same shirt, only an identical one. This is not merely a semantic nicety of the expert, because all shirts manufactured in the same run would be, for the kind of tests made, identical.

Further, the minimal case against Oswald is not the minimal case favoring the Commission's thesis, namely, that he did it alone. Much of Professor Packer's argument is directed to the first and not to the second point, and it is precisely here that a number of arguments, such as the existence of four bullets, are so weighty.

The prior problem in assessing the Report is not Oswald's guilt; it is the Commission's impartiality. If the Report can be shown to be a prosecutor's brief, then all its evidence is under suspicion. I believe it is clear beyond a reasonable doubt that the Report is a prosecution brief, an opinion shared by others, and forced on us by the "aberrant need" to seek the truth, even unto proclaiming the lack of clothes on the royal commissioners. Professor Packer himself documents many areas in which the Commission was less than impartial, although he affirms its impartiality concerning Oswald's being the lone assassin.

He assumes the right to pick and choose what he accepts, exactly as the Commission has done, but he has no such right. The integrity of the commissioners is a totality, just as their impartiality is a totality, and they have no right, morally or logically, to use one set of criteria for the credibility of Brennan, Markham, Whaley, etc., and another set for Kantor, Tice, Randle, Wesley Frazier, etc. Truth,
like impartiality and integrity, are indivisible.

Critics such as myself, on the other hand, do have a right to pick and choose what seems reasonable, because we are evaluating what the Commission tells us, and what they omit. When crucial witnesses were not called, we are understandably suspicious.

In judging the Commission's impartiality, the omission of key witnesses is of crucial importance. The Commission itself relies heavily on Brennan and Markham as eyewitnesses who allegedly saw Oswald in the act of committing the two murders, and Professor Packer says "the minimal case is supported rather than negated by what eyewitness testimony is available." (italics added) But there is a lot of testimony which is not available, and which negates many of the Commission's findings. These omissions and other flaws have led Kempton and others to characterize the Report as a prosecutor's brief. Professor Packer indicates other areas which denote lack of impartiality in the Commissioners.

The most important by far is "the fact that the supporting volumes of transcripts and exhibits, originally slated for release simultaneously with the Report volume, are still not available and apparently will not be released for some weeks. This should not have been allowed to happen. Whether the fault lies with the commission or the White House it is a grievous one. What it means, very simply, is that there is not at this time an adequate basis for evaluating the quality of the Commission's fact-finding process." (italics added) The professor, a partisan of the Commission, seems to think this is an accident! I, a critic, think it is deliberate.

Professor Packer, after saying that the "quality of the Commission's fact-finding process" cannot be evaluated, goes on to say that "fortunately, the Report and some of its appendices permit evaluation of the central findings." Without the full testimony of the doctors? Of the ballistic experts? Of Marina Oswald? "The Commission obviously concluded," says Professor Packer, "that Mrs. Oswald was a truthful witness. Without studying the transcript . . . one has simply no basis for reaching a judgment."

It was the responsibility of the Commission—not the White House—to present a full report with all supporting evidence and to insist that it be published in toto, simultaneously. Even if this "grievous" error was not deliberate, it objectively helps the Commission present its case through all the mass media with a minimum of questions. It prevents critics from checking the Report and adding to their already substantial evidence of the Commission's prosecuting bias. It enables an honest man, such as Professor Packer, to reach conclusions he may later have to regret.

Professor Packer criticizes the Commission for its treatment of the Dallas police and of Attorney Wade in the matter of custodial
care, deprivation of counsel and the mildness of the reproof administered. On the deprivation of counsel, he says, "the Commission goes to extraordinary lengths," on the other matters he concludes that "there were irreconcilable views within the Commission on either the nature of the value judgments to be made or the desirability of making them. What will appear to many as an ethical failure on the Commission's part, is likely, I think, to impair the Report's lasting quality as a state paper." (italics added)

Obviously, all Commissioners have equal integrity, but some are more equal than others. Unfortunately, as the Report shows, they all ended up being equally gentle to the Dallas police, and covering-up (the right phrase for "extraordinary lengths") Oswald's deprivation of counsel by the police.

"There was a series of leaks," says Professor Packer, "some unplanned, others bearing at least the appearance of calculation, that suggested the crystallizing of a 'position' long before one could confidently have been arrived at. The most spectacular was the revelation . . . that the FBI report confirmed the theory that Oswald, acting alone, was the assassin . . . it created an impression of prejudgment that could not but help detract from the confidence with which the findings would be received." (italics added) Add to this leak, the leak of June 1, 1964, to the New York Times, that one bullet went through both men, a leak specifically attributed to the Commission, and we can say that it was calculated in more than appearance.

Finally, Professor Packer criticizes the appointment of counsel to represent Oswald's interests. "It seems to me that the commission compromised the integrity of the distinctive fact-finding process for which it was constituted by making the appointment." Professor Packer treats this as a mere philosophic point, for he adds, "But that is water over the dam." Not my dam. For it isn't the appointment that compromised the integrity of the fact-finding process; it was the way the process itself was conducted. If the Commission had been, in fact, an objectively fact-finding body, the "defense attorney" would have been, at best, superfluous, at worst, a nuisance. On the other hand, had the "defense attorney" really been operative, the Commission's prosecuting bias would have been corrected. In either case, justice would have been served. As it was, the appointment was a public relations job: to appease a sense of unease created by Lane's stress of the point and at the same time get someone who would do nothing aggressive. In all fairness to Mr. Craig, he never said he would; he said he would be an observer. It is Mr. Packer who unwittingly falls victim of the public relations approach and calls him "counsel to represent Oswald's interests."

Professor Packer has made a rather formidable case to show that the Commission was less than candid (as in the deprivation of
counsel) or was swayed by other considerations, creating what may appear, as he delicately puts it, "an ethical failure." That these Commissioners whom he finds so partisan and so politically conscious on peripheral issues, might be equally partisan on more explosive issues, such as the integrity of the FBI or the Dallas police, does not occur to Professor Packer. It can only occur to fantasts who would question the integrity of the Chief Justice.

As Mr. Marzani has pointed out, the integrity of Justice Warren is not what is fundamentally at stake; what is at stake is the integrity of the FBI and the Dallas police. But even Mr. Warren has not been wholly candid, witness his interview with Ruby and the Report's account of that interview.

On August 18, 19 and 20, 1964, the New York Journal-American published the transcripts of the Warren-Ruby interview and the lie-detector test taken by Ruby, which Miss Kilgallen had obtained—another of the many leaks from the Commission. The Report publishes the transcript of the polygraph test, as well as various aspects of the interview. These are identical with the transcript obtained, and vouched for, by Miss Killgallen. We may therefore assume it is a correct transcript.

In the transcript, Chief Justice Warren and the Commission's counsel, Mr. Rankin, ask certain questions which relate to a possible meeting between Ruby, slain Patrolman Tippit, and Bernard Weissman, who published the famous hate ad the morning of the assassination. Here is the transcript, in full, around this question:

Mr. Rankin: . . . There was a story that you were seen sitting in your Carousel Club with Mr. Weissman, Officer Tippit, and another who has been called a rich oil man, at one time shortly before the assassination. Can you tell us anything about that?

Ruby: Who was the rich oil man?

Mr. Rankin: Can you remember? We haven't been told. We are just trying to find out anything that you know about him.

Ruby: I am the one that made such a big issue of Bernard Weissman's ad. Maybe you do things to cover up, if you are capable of doing it. As a matter of fact, Saturday afternoon we went over to the tour of his lounge, and it was a whole hullabaloo, and I showed the pictures "Impeach Earl Warren" to Belocchio, and he saw the picture and got very emotional. And Belocchio said, "I have got to leave Dallas."

And suddenly after making that statement, I realized it is his incapability, and suddenly you do things impulsively, and suddenly you realize if you love the City, you stay here and
you make the best of it. And there were witnesses. I said, "The City was good enough for you all before this. Now you feel that way about it." And that was Belocchio. As far as Tippit, it is not Tippitts, it is not Tippitts, it is Tippit.

Mr. Rankin: This Weissman and the rich oil man, did you ever have a conversation with them?

Ruby: There was only a few. Bill Rudman from the YMCA, and I haven't seen him in years. And there is Bill Howard, but he is not a rich oil man. He owns the Stork Club now. He used to dabble in oil.

Chief Justice Warren: This story was given by a lawyer by the name of Mark Lane, who is representing Mrs. Marguerite Oswald, the mother of Lee Harvey Oswald and it was in the paper, so we subpoenaed him, and he testified that someone had given him information to the effect that a week or two before President Kennedy was assassinated, that in your Carousel Club you and Weissman and Tippit, Officer Tippit, the one who was killed, and a rich oil man had had an interview or conversation for an hour or two.

And we asked him who it was that told him, and he said that it was confidential, and he couldn't tell at the moment, but that he would find out for us if whether he could be released or not from his confidential relationship. He has never done it, and we have written him several letters asking him to disclose the name of that person, and he has never complied.

Ruby: Isn't that foolish? If a man is patriotic enough in the first place, who am I to be concerned if he wasn't an informer. I am incarcerated, nothing to be worried about anyone hurting me.

Chief Justice Warren: Mr. Ruby, I am not questioning your story at all. I wanted you to know the background of this thing, and to know that it was with us only hearsay. But I feel that our record should show that we would ask you the question and that you would answer it, and you have answered it.

Ruby: How many days prior to the assassination was that?

Chief Justice Warren: My recollection is that it was a week or two. Is that correct?

Ruby: Did anyone have any knowledge that their beloved President was going to visit here prior to that time, or what is the definite time that they knew he was coming to Dallas?

Chief Justice Warren: Well, I don't know just what those dates are.
Ruby: I see.

Chief Justice Warren: I just don't know. Well, we wanted to ask you that question, because this man had testified and we have been trying ever since to get him to give the source of his information, but he will not do it, so we will leave the matter as it is.

Ruby: No. I am as innocent regarding any conspiracy as any of you gentlemen in the room, and I don't want anything to be run over lightly... (italics added)

It is immediately obvious that both Mr. Rankin and Mr. Warren added another individual to Lane's testimony—the "rich oil man." On September 3, Miss Killgallen noted the discrepancy and was understandably troubled by it:

The mention of the "rich oil man" by Chief Justice Warren in his interrogation of Jack Ruby would indicate, then, that the Commission was informed of the meeting by a source other than Mr. Lane, and that this second source provided the name of a fourth party—the oil man.

If that is not the case, if the Commission had only Mr. Lane's testimony to go on, it would appear that the oil man was "invented" by the investigators. And it is difficult to imagine the Commission doing any such thing... Perhaps the Warren Commission will clear up this point in its final report. (italics added)

The Report does not clear up the point. As far as we know, the "rich oil man" was invented by the Commissioners, and was seized upon by Ruby to evade the question completely. Further, Mr. Warren not only repeats Rankin's phrase about the rich oil man but puts into the record that Ruby has answered this question, when it is devestatingly clear that Ruby never answered it, but countered with another question which evaded the point.

It must be remembered that Chief Justice Warren had had a long and successful career as a District Attorney, and that Rankin had been a Solicitor General. Is it possible that they wouldn't know an evasion from an answer? Since when is a counter-question a denial? Yet the Report states, "Ruby and Weissman both deny that such a meeting occurred" (p. 344). A footnote refers the reader to the Ruby testimony in Dallas as supporting Ruby's denial. In regard to Ruby, the statement in the Report is a plain falsehood.

The failure to probe behind Ruby's evasion cannot be considered accidental when one considers that during the polygraph ("lie detector") test, Ruby was not asked a single question about this meeting with Tippit and Weissman at his club. There is, however, a question which seems specifically designed to obscure the issue and confuse
the unwary reader: “Did you ever meet with Oswald and Officer Tippit at your club?” (p. 716) Ruby’s answer was “No.” Since, to my knowledge, no one has ever said that Ruby met with Oswald and Tippit, the irrelevancy of this question, so phrased as to confuse it with the other alleged meeting of Ruby with Weissman and Tippit, seems deliberate.

The Issue of a Conspiracy

My book *Oswald: Assassin or Fall Guy?* was divided into two parts. The first, and largest, examined the contradictions in the official versions put out by various authorities. The second part, admittedly more speculative, was concerned with the possibility of there having been a conspiracy; that, among others, some lower echelons of the CIA or the FBI, acting as individuals, may have been implicated, and that Oswald may have been a petty CIA or FBI informer.

Speculations of a conspiracy were not, and are not, irresponsible guesswork. They flowed logically from the contradictions of the official versions prior to the Report, and they flow now from the contradictions of that Report. Thus, if one believes that there were four bullets, or that the hole in the coat is more impressive evidence than the autopsy report, or that Oswald was a poor marksman, and so on, the possibility immediately arises that there was a different rifle used, or more than one rifle, or more than one sniper. This inevitably would indicate some degree of conspiracy and some degree of cover-up by the Dallas police or the FBI.

Among the reasons that led me, and still lead me, to believe in the existence of a conspiracy is concrete evidence pointing towards frame-up. As I said in my book, this does not mean that Oswald may not have been a part of a conspiracy, but that he was double-crossed and made into a fall guy. The hypothesis of a frame-up, put forth in my book, which was submitted to the Commission, is based upon substantial evidence which merited the fullest investigation. The Commission simply dismissed the evidence.

The two strongest elements pointing to a frame-up plot, were the so-called Ryder ticket and the appearance of a man who looked like Oswald at a rifle range. The Ryder ticket refers to a repair tag in a gunsmith shop in the Dallas suburb of Irving (where Oswald’s family lived), showing that a customer had brought a Japanese scope for mounting on his rifle. The name written on the ticket is “Oswald.” Since the Carcano had come from the shipper already equipped with a scope, this ticket seemed hard evidence that a clue had been deliberately planted against Oswald.

The Commission examines this episode (pp. 291-292) exclusively from the angle that Oswald might have owned a second rifle. It decides that “the *authenticity* of the repair tag bearing Oswald’s name is
indeed subject to grave doubts.” (p. 292, italics added) This is a puzzling statement. Do the Commissioners mean that the ticket does exist? Or is the ticket forged? If so, why don’t they say so and adduce their evidence? They say that neither Ryder nor his employer Greener could remember Oswald: this is hardly relevant and does not undermine the authenticity of the ticket. They say “subsequent events reflect on Ryder’s credibility,” because he gave conflicting statements to newspapermen. The Commissioners have been at great pains, in regard to Wade’s evidence, to point out that newspaper reports are far from accurate, yet now they take them at face value. In any case, what does Ryder’s credibility have to do with the “authenticity” of the ticket unless of course he forged it. But there is no accusation of this. What, then, are the “grave doubts” of the Commissioners?

The Commission does not even examine the possibility, set forth in my book, that the ticket may have been planted, although it states that the FBI got a lead on it through an anonymous phone call. There is other evidence which suggests that someone may have been deliberately impersonating Oswald. The Commission notes the fact, but not the connection. It says:

Several witnesses believed that in the weeks preceding the assassination, they observed a man resembling Oswald practicing with a rifle in the fields and wooded areas surrounding Dallas, and at rifle ranges in that area . . . (p. 295)

I had given several, detailed examples of this, the most important centering on the Sportsdrome Rifle Range near Dallas. There a man believed to have been Oswald—positively identified by at least two persons—behaved ostentatiously. In one instance, he asked another rifleman to look through his (“Oswald’s”) telescopic sight and see for himself how remarkably clear it was; in another, he exhibited his uncanny marksmanship by firing at several targets at a time, including one where another customer was practicing.

The Warren Commission confirmed these happenings and established that Oswald was never present at the range, using data and reasoning similar to mine. But then, instead of pursuing my thought that this showed someone was up to something, it dismissed the incident as coincidental.

This is the more strange because the Commission has come up with two more “coincidences” of a similar nature.

In one of these incidents (pp. 293-294), a man believed to have been Oswald goes into a furniture store in Irving to ask for a gun part. Told that he is in the wrong place, he goes back to his car, then returns with his family consisting of a young woman and two small children. They stay for half an hour in the store and chat with the owner and a friend of hers.
Both these witnesses have subsequently made a positive identification of Marina Oswald as the young woman who was in the store that day. The two witnesses also testified that the "husband" said that the baby "Marina" was holding had just been born a few weeks earlier. He obligingly told them the date, October 20, 1963—the birth date of Rachel Oswald, Lee Harvey's youngest daughter.

The Commission satisfies itself that Marina couldn't have been in that store at this time and simply dismisses the incident, downgrading its importance and disparaging the witnesses.

It follows the same procedure with another incident, even more suspicious. The Report relates that at about the same time as the store incident, a man who called himself Lee Oswald walks into an automobile showroom in Dallas and asks to be shown some cars. Two salesmen write down the customer's name as "Lee Oswald." After test driving a car over the Stemmons Freeway at 60 to 70 miles per hour (p. 297), "Oswald" tells one of the salesmen that he doesn't have the money for a purchase right now, but expects to get it in several weeks. Later he gets into an argument with another salesman who points out that the prospective customer would be unable to purchase a car without a credit rating, substantial cash or a lengthy employment record. At that point, the customer "stated sarcastically: 'Maybe I'm going to have to go back to Russia to buy a car.'" (italics added)

The Commission fails to see a pattern in all these incidents, although what is involved is clearly more than a series of cases of mistaken identity; in each instance, the presumed "Oswald" went out of his way to draw attention to himself, and to say or do something that would point to the real Oswald. Yet the Commission simply dismisses the evidence as not authentic and the witnesses as lacking in credibility, despite the fact that in at least one instance the witness, car salesman Bogard, offered to take a lie detector test. Walter Winchell, who published this information in the N.Y. Journal-American of October 12, 1964, also charges that a film interview with Bogard has been suppressed.

The Commission's technique of dismissing pieces of evidence item by item and not looking at the pattern as a whole is again demonstrated in its handling of the John Birch activities around the President's visit. Commentators have been struck by the diffidence of the Commission in treating the right wing. Says Harriet Van Horne:

My only serious quarrel with the Warren Commission's Report this week is that it failed to indict the absolutist climate of Dallas as a contributing factor—some might say a catalyst—in the murder of President Kennedy.

... We saw a nightmare city where the rich in pocket in-
herit the earth. And rule it with guns, money and whips of hate. . . . After the murder of Kennedy, a Texan tells me, a not uncommon remark at Dallas social gatherings was, "We should have invited him sooner" . . . On the guilt of Dallas the Warren Report is disappointingly silent. (N.Y. World-Telegram, 9/29/64)

Yet, when we examine the Report, we see that it includes much material on the activities of the Dallas Chapter of the John Birch Society, and when we pull that material together, which the Commission fails to do, a very active pattern emerges. The "local coordinator" of the John Birch Society in the Dallas area, we learn, is a man named John P. Grinnan, who also happens to be an "independent oil operator." (p. 275)

Grinnan, according to the Report, has admitted to the Commission (he had previously denied it) that he "undertook to raise the $1,456 needed to pay for the ad," (i.e., the notorious hate ad).

Bernard Weissman, the former military policeman (with the U.S. Army in Munich) who figured as chairman of the "American Fact-Finding Committee," the "fictitious sponsoring organization . . . invented out of whole cloth" (p. 276) which [ostensibly] placed that hate ad in the most "conservative" newspaper of Dallas, was also a member of the John Birch Society (p. 275). So were Weissman's former buddies in the Army, and associates in the "Fact-Finding Committee," William B. Burley III and Larrie H. Schmidt.

Schmidt, Burley, and Weissman had previously formed, during their service in the Army in Munich, in 1962—the year General Edwin A. Walker was removed from his command in Germany, by President Kennedy, for openly indoctrinating his troops with Birch-type rightist propaganda material—"two conservative organizations, one political and the other business. The political entity was to be named Conservatism-USA, or CUSA, and the business entity was to be named American Business or AMBUS . . ." (p. 273)

First to leave the service, Schmidt settled in Dallas, in October 1962, according to the Report. He became a life insurance salesman and "quickly engaged in numerous political activities in pursuit of the objectives devised in Munich. . . . Upon their release from the military, Weissman and Burley did not immediately move to Dallas, though repeatedly urged to do so by Schmidt." (italics added)

On October 1, 1963, less than two months before Kennedy's visit, we are told that "Schmidt wrote Weissman: 'Adlai Stevenson is scheduled here on the 24th on UN Day. Kennedy is scheduled in Dallas on November 24th. There are to be protests. All the big things are happening now—if we don't get in right now we may as well forget it.'" (italics added, except that the word "now" after "happening" is also italicized in the Report)
With Weissman and Burley apparently a bit slow to report for duty, Schmidt then telephoned Weissman (who at the time was in New York) on October 24, the day of the attack against Stevenson in Dallas, urging him again to come down. According to the Warren Report:

Five days later, he (Schmidt) wrote to Weissman and Burley to report that as the "only organizer of the demonstration to have publicly identified himself," he had "become, overnight," a "fearless spokesman" and "leader" of the rightwing in Dallas. "What I worked so hard for in one year—and nearly failed—finally came through one incident in one night." He ended, "Politically, CUSA is set. It is now up to you to get AMBUS going."

The "incident" referred to, which finally achieved what Schmidt had been working for so hard in one year, is described on page 55 of the Report in these terms: "On the evening of October 24, 1963, after addressing a meeting in Dallas [Adlai E.] Stevenson was jeered, jostled, and spat upon by hostile demonstrators . . . ."

The Report acknowledged, in the same context, that "increased concern about the President's visit was aroused by the incident involving the U.S. Ambassador to the United Nations, Adlai E. Stevenson."

Apparently the incident didn't concern the Secret Service, including Forrest V. Sorrels, special agent in charge of the Dallas Office of the Secret Service (p. 48), for on page 408 of the Report, we read that when the special file [i.e., of the known subversives and other potential risks to the security of the President, which the Protective Research Section of the Secret Service keeps] was reviewed on November 8 by Special Agent Winston G. Lawson, advance agent for President Kennedy's trip to Dallas,

*it contained the names of no persons from the entire Dallas-Fort Worth area, notwithstanding the fact that Ambassador Stevenson had been abused by pickets in Dallas less than a month before . . . ."

Yet the files of the Protective Research Section of the Secret Service at the time of the assassination had about 50,000 cases on its active list. (p. 405)

General Edwin A. Walker, most prominent, and notorious, member of the John Birch Society in Dallas, an active rabble-rouser who had been charged with *sedition* after the 1962 racial riots at Oxford, Miss., and who was the real ringleader in the UN-Day demonstration against Stevenson, was *not on this list."

Oil tycoon Haroldson Lafayette Hunt, who had spent millions to subsidize the right wing's hate propaganda against Kennedy, was *not on this list.*
Army veteran Larrie Schmidt, who, as we have seen, had publicly identified himself as organizer of the anti-Stevenson demonstration and as a “fearless” leader of the Right in Dallas, was not on this list. His buddies Weissman and Burley, one a former military policeman, the other also a G.I., who joined Schmidt in Dallas on November 4 (p. 275) and was promptly recruited into the John Birch Society, were not on this list.

And, of course, Lee H. Oswald was not on that list. Confronted by this fact, FBI chief J. Edgar Hoover made the curious statement that Oswald, the “defector” who had been referred to him, after his return from the Soviet Union, was described in a State Department report as a “thoroughly safe risk.”

As we have said, the “coordinator” of the John Birch Society in Dallas was oilman J. P. Grinnan. Through Schmidt, who had urged them promptly to join the Birch Society, Weissman and Burley were introduced to the “coordinator.” (p. 275) They explained to him the need for running that particularly vicious hate ad on that very particular day in that particularly “conservative” newspaper. Also, that they didn’t have the funds to pay for it. And so Grinnan undertook to raise the money. (p. 276) I quote:

Grinnan raised the needed money from three wealthy Dallas businessmen: Edgar R. Crissey, Nelson Bunker Hunt [the eldest son of H. L. Hunt], and H. R. Bright, some of whom in turn collected contributions from others... Weissman, believing that Schmidt, Grinnan and the contributors were active members of the John Birch Society, and that Grinnan eventually took charge of the project, expressed the opinion that the advertisement was the creation of the John Birch Society, though Schmidt and Grinnan have maintained that they were acting “solely as individuals.” (italics added)

Here, then, we have a group of seven Birchers, including at least two oilmen (Grinnan and Hunt), two other wealthy businessmen (Crissey and Bright), along with three ex-military men (Schmidt, Burley and Weissman) conspiring, on the eve of the President’s arrival in town, to whip up public resentment against him by means of this most despicable, hate-mongering ad. The full text is reproduced on p. 274 (Commission Exhibit No. 1031).

And yet the Commission concluded that this Birchite “creation” had nothing to do with the assassination of President Kennedy which was instead the work of a “lone Marxist.”

The ad which appeared in the Dallas Morning News was only one of three subversive incitements. The second was the distribution of “Wanted for Treason” handbills on the streets of Dallas immediately prior to Kennedy’s arrival. This ad, too, was the creation of
the John Birch Society, as the Warren Commission proved.

These handbills, says the Report, "bore a reproduction of a front and profile photograph of the President and set forth a series of inflammatory charges against him." (italics added) The printer, a man named Klause, "arranged the halftone front and profile representations of President Kennedy at the top of the textual material... so as to simulate a 'man wanted' police placard." (p. 278)

The Warren Commission had to dig for its information:

Efforts to locate the author and the lithography printer of the handbill at first met with evasive responses and refusals to furnish information... Robert A. Surrey was eventually identified as the author of the handbill. Surrey, a 38-year-old printing salesman employed by Johnson Printing Co. of Dallas, Tex., has been closely associated with General Walker for several years in his political and business activities. He is president of American Eagle Publishing Co. of Dallas, in which he is a partner with General Walker. Its office and address is the post office box of Johnson Printing Co. Its assets consist of cash and various printed materials composed chiefly of General Walker's political and promotional literature, all of which is stored at General Walker's headquarters...

Surrey prepared the text for the handbill and apparently used Johnson Printing Co. facilities to set the type and print a proof. Surrey induced Klause, a salesman employed by Lettercraft Printing Co. of Dallas, whom Surrey had met when both were employed at Johnson Printing Co., to print the handbill "on the side." According to Klause Surrey contacted him initially approximately 2 or 2 1/2 weeks prior to November 22...

During the night, he [Klause] and his wife surreptitiously printed approximately 5,000 copies on Lettercraft Printing Co. offset printing equipment without the knowledge of his employers. The next day he arranged with Surrey a meeting place, and delivered the handbills. Klause's charge or the printing of the handbills was, including expenses, $60. (pp. 277-278, italics added)

We have then the picture of a retired general, who has a gripe against the President for ousting him from the Army, involved, through his partner, with several other persons to produce a handbill that describes the Chief Executive as a traitor. The partner induces a small-time salesman to commit several illegal acts such as setting type on the premises of a former employer printing it surreptitiously and in the dead of night in the plant of his present employer; and charging for this job, done "on the side" a Judas-type of fee while making "no record of the transaction," as the Report states.

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Was Operation “Wanted for Treason” somehow connected with the “Welcome Mr. Kennedy” operation (the hate ad in the *Dallas News*)? The Commission says no:

Klauss’s testimony receives some corroboration from Bernard Weissman’s testimony that he saw a copy of one of the “Wanted for Treason” handbills on the floor of General Walker’s station wagon shortly after November 22. Other details of the manner in which the handbills were printed have also been verified. Moreover, Weissman testified that neither he nor any of his associates had anything to do with the handbill or were acquainted with Surrey, Klauss, Lettercraft Printing Co., or Johnson Printing Co. Klauss and Surrey, as well as General Walker, testified that they were unacquainted with Lee Harvey Oswald and had not heard of him prior to the afternoon of November 22. The Commission had found no evidence of any connection between those responsible for the handbill and Lee Harvey Oswald or the assassination. (italics added)

The “Wanted for Treason” crowd had nothing to do with the assassination because they didn’t know Lee H. Oswald. As with the case of mistaken identity, the Commission implies that in order to qualify as a conspiracy, there must be tie-in with Oswald. It never bothers to explore the possibility that there might have been a conspiracy in which Oswald did not figure except as “fall guy.”

On the face of it, the Commission’s statement would seem to constitute *prima facie* evidence of perjury on Weissman’s part. For, the handbill job was probably done for General Walker and Weissman saw a copy of one of these handbills on the floor of General Walker’s station wagon. How can we believe him when he says neither he nor his associates had anything to do with the handbill and was not acquainted with Surrey, Klauss et al.?

True, Weissman swears only that he didn’t know Surrey, Klauss, and the two printing firms; he doesn’t swear that he didn’t know General Walker. Weissman evidently knew Walker and this vindicates what I had written in my Oswald book: “The most powerful, and least known, link between Walker and the Oswald case is a man named Bernard Weissman . . .”

Let us turn now to the third anti-Kennedy hate front in Dallas on the day of the assassination. It didn’t concern so much the doomed President as the man who was going to investigate his murder. For, as we learn on p. 321 of the Report, there stood, near Hall Avenue and Central Expressway in Dallas, a signboard with the familiar John Birch Society slogan “Impeach Earl Warren.”

Ruby, for one, didn’t like that signboard. He didn’t like the Weissman ad either, for that matter, because it might have an unto-
ward effect on the Jewish community, "Weissman" being such a conspicuously Jewish name.

While Ruby's reasons for disliking the ad are clear, the reasons for his protest against the "Impeach Earl Warren" sign are less so. Yet he felt so strongly about it that he drove out with two of his friends and had one of them take three photographs of the billboard. Later he told his roommate, George Senator, "This is the work of the John Birch Society or the Communist Party or maybe a combination of both."

Jack Ruby remains one of the great unknowns in the assassination, he probably knows more than he's telling. He denied being at the Parkland Memorial Hospital and the Commission accepts his denial, but we are entitled to be sceptical about it. It is not likely that a veteran newspaperman like Kantor would make a mistake about Ruby, whom he had known for five years. Further, his testimony is independently corroborated by Mrs. Tice.

The Commission makes much of his concern with the ad and the billboard as proving he didn't know Weissman; my reaction would be exactly the opposite. Knowing Weissman, he would be concerned with his (Weissman's) actions. If one looks at the part of the transcript given above, Ruby uses a rather peculiar phrasing when Ruby says: "I am the one that made such a big issue of Bernard Weissman's ad. Maybe you do things to cover up . . ." (italics added) Cover up what? Why should even a sick mind think of that particular angle?

I didn't deal with Ruby in my book because his trial was in process. I concentrated on analyzing the contradictions and discrepancies around Oswald. In a projected and more detailed study of the Warren Report, I intend to deal with Ruby at length; his evidence has to be treated very carefully as he is mentally unstable. This does not mean he doesn't know what he is saying—he was very clever in picking up "the rich oil man" as a way to evade answering questions on the alleged Tippit-Weissman meeting.

That Ruby knew some of the top extremists is shown in the Report itself:

On November 21, Ruby drove Connie Trammel, a young college graduate whom he had met some months previously, of the office of Lamar Hunt, the son of H. L. Hunt, for a job interview. Although Ruby stated that he would like to meet Hunt, seemingly to establish a business connection, he did not enter Hunt's office with her. (p. 343)

There is another strange coincidence. Ruby's roommate, George Senator, when he heard Ruby had shot Oswald, immediately went to see an attorney friend, James Martin. (p. 348) Martin turns up again as Marina Oswald's manager, chosen for her by the Secret Service. In a city of one million people, we are to believe that a
friend of Ruby is *accidentally* picked by the Secret Service to aid the wife of Ruby's victim.

Martin didn't act as Ruby's lawyer. The first man who took that job was Constine Alfred Droby, President of the Criminal Bar Association of Dallas who was interviewed by Jean Campbell for the London *Evening Standard* of October 7, 1964:

"I said I would defend Jack," he told me . . . "but I had to give it up before I really started, as my wife's life was threatened by anonymous phone calls and we were told our house was to be blown up by dynamite." However Droby told me that as Ruby's attorney he had rushed around to Ruby's apartment soon after the shooting with Jim Koethe, a Dallas news reporter.

"The place was in chaos. I think we were the first people to see it."

"You remember anything especially?" I said.

"No, just chaos and newspapers," Droby answered. "I wonder if Jim Koethe saw anything?" I asked.

Mr. Droby folded his hands and leaned forward: "Koethe's murdered," he said. "He was choked to death the Monday before last."

In his interview with Mr. Warren, Ruby showed great fear of his life and asked to be removed from Dallas. Given the record of the police and of violence in the city, his fear is hardly aberrant. Ruby knows something: he repeatedly warned Mr. Warren of the strength of the John Birch Society; he stated there had been a plot though he was no part of it. He should be removed to Federal custody and psychiatric treatment that he may furnish further information.

As for the Report, the first task is to proclaim its bias. Let the American people choose between the opinion of oil millionaire Hunt: "It's a very honest document", and that of Lord Bertrand Russell: "It is a sorely incompetent document and covers its authors with shame." Concerned citizens can do a great deal by disseminating this, and similar, analysis of the Report and by supporting further investigations. Mr. Mark Lane is chairman of a Citizens' Committee of Inquiry, 156 Fifth Avenue, New York City. He is an able, dedicated man; the Committee is growing. If it is supported, I have little doubt that the American people will listen. On some, not too far off, day, the truth will be known about the assassination of President John F. Kennedy.

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Below: the despicable advertisement attacking President Kennedy which appeared in the Dallas Morning News the day of the assassination. It was inserted by a certain Bernard Weissman who served in Germany under General Edwin Walker. Walker was relieved of his command for propagandizing for the John Birch Society in the army. The ad cost nearly $1500.00 and, according to the German magazine Der Stern, was financed by the right-wing oil millionaire H. L. Hunt.

**WHY**

did you host, salute and entertain Tito — Moscow's Trojan Horse — just a short time after our sworn enemy, Khrushchev, embraced the Yugoslav dictator as a great hero and leader of Communism?

**WHY**

have you urged greater aid, comfort, recognition, and understanding for Yugoslavia, Poland, Hungary, and other Communist countries, while turning your back on the pleas of Hungarian, East German, Cuban and other anti-Communist freedom fighters?

**WHY**

did Cambodia kick the U.S. out of its country after we poured nearly 400 Million Dollars of aid into its ultra-leftist government?

**WHY**

has Gus Hall, head of the U.S. Communist Party praised almost every one of your policies and announced that the party will endorse and support your re-election in 1964?

**WHY**

have you banned the showing at U.S. military bases of the film "Operation Abolition" — the movie by the House Committee on Un-American Activities exposing Communism in America?

**WHY**

have you ordered or permitted your brother Bobby, the Attorney General, to go soft on Communists, fellow-travelers, and ultra-leftists in America, while permitting him to persecute loyal Americans who criticize you, your administration, and your leadership?

**WHY**

are you in favor of the U.S. continuing to give economic aid to Argentina, in spite of the fact that Argentina has just seized almost 400 Million Dollars of American private property?

**WHY**

has the Foreign Policy of the United States degenerated to the point that the C.I.A. is arranging coups and bloodily exterminating staunch Anti-Communist Allies of the U.S.?

**WHY**

have you scrapped the Monroe Doctrine in favor of the "Spirit of Moscow"?

MR. KENNEDY, as citizens of these United States of America, we DEMAND answers to these questions, and we want them NOW.

THE AMERICAN FACT-FINDING COMMITTEE

"An unaffiliated and non-partisan group of citizens who wish truth"

BERNARD WEISSMAN,
Chairman
The facing photograph is the view from the assassin's window. Across the plaza is Main Street; directly below is Elm Street. The underpass is at the right and is enlarged in the inset. If motorcade had gone on Main Street through the underpass, without the detour, the sniper would have had to fire straight ahead over the park area at a target moving swiftly across his line of sight. With the detour, the sniper had the presidential car in his sights as it came toward him and as it slowed down to 12 miles per hour for the turn directly below.

The enlarged underpass insert clearly shows the balustrade behind which a sniper could hide and fire.
The diagram shows alternative routes to the Trade Mart on Stemmons Freeway, which was President Kennedy's planned destination. Published route (broken line) shows motorcade going along Main; the actual route (solid line) shows the double detour which brought motorcade into Elm for easy lead into access road to Freeway. Police Chief Curry said the four-foot curb (Diagram 1) prevented staying on Main. He also said there was no alternative, which is less than the full truth. The amateur snapshots show the physical conditions.

Photo 1 — The triple underpass viewed from the side the motorcade would have emerged (opposite side from insert on previous page). Four-foot curb at left foreground.

Map of route printed in Dallas Morning News, Nov. 22, 1966. Arrow points to tiny curve which is enlarged in diagrams.
Photo 2 — Reverse long shot from triple underpass looking to Freeway (on pylons). Curb in foreground divides Main from Elm. Small lead car under signs is turning into access road to the Freeway. Diamond-shaped sign at center, Merging Traffic, announces end of curb. A shallow S curve in (Diagram 2) would have brought motorcade from end of curb to entrance of access road. Photo 3 — Same view, medium shot, taken from diamond-shaped sign. At extreme left, barely visible, is a sign on the end of curb which says No Turns.

Photo 4 — Closeup of No Turns sign at very tip of curb. Highway is very wide and the feasibility of the turn is proven by the sign prohibiting it. Traffic would have had to be halted on Elm to allow motorcade to make the S turn across it. This not as sharp a turn as the one at Elm and Houston, under the sniper's window. With all the police available, this slightly inconvenient but much safer route could easily have been arranged.

In the diagram, lines of tiny dots in the highways at left of underpass indicate round concrete road dividers, very shallow.

Photo 5 — One block beyond end of curb on Main. Overhead sign at right points to Industrial Boulevard which runs directly into Trade Mart.

Photo 6 — Bus at extreme right is standing at intersection of Main and Industrial, three blocks from the triple underpass (Diagram 3). It is a wide boulevard, not as scenic as the Freeway, but much safer. Either route would have obviated the double detour which forced the presidential car into a dangerously slow pace under the sniper's window.
Connally
Also Hit
By Sniper

By GEORGE CARTER

President Kennedy was rushed to Parkland Hospital.

The President and Connally were rushed to Parkland Hospital.

Minutes later they were reported still alive by Rep. Albert Thomas of Houston, who stood outside the emergency surgery door.

Police reports indicated President Kennedy was shot in the head. Connally was also reported shot in the chest.

Mrs. Kennedy apparently was safe. Mrs. Connally also was safe, it appeared. Both women were stunned.

Witnesses said six or seven shots were fired. The horrid scene was heard.

Police swarmed the area immediately.

The waters seemed to have been sent by the bullet.

Secret Service agents in a follow-up car quickly unlimbered their automatic rifles.

The bubble top of the President's car was gone.

They drew their pistols, but the damage was done.

The President was rushed over in the back seat of the car, face down. Connally lay on the floor of the rear seat.

It was impossible to tell at once where Kennedy was hit, but bullet wounds in Connally's cheek were plainly visible, indicating the bullet had struck there.

Dallas motorcycle officers escorting the President quickly leaped from their bikes and rounded up a gravy hill.

President, the limp body cradled in the arms of his wife, was rushed to Parkland Hospital. The Governor was also taken to Parkland. Clint Hill, a Secret Service agent assigned to car, the famous 'Bubbletop' from Washington. He was rushed to an emergency room in the hospital.

Other White House officials were in doubt as the murder of the hospital empanel led to the President.

The Secret Service decided the President remained in the emergency room at Parkland and the Governor was moved to the general operating room.

One Secret Service man was overheard telling another that there was no need to move the President because emergency facilities were entirely adequate in the emergency room.

Two Roman Catholic priests were summoned to the emergency room where the President lay. One was identified as a Father Baker.

Malcolm Kilduff, acting White House press secretary, said that the two priests had been "asked for." "Pandemonium broke loose around the area. The Secret Service waved the motorcade on at high speed it looked nearly like minutes to get the car to the ambulance entrance of the hospital.

Reporters saw Kennedy lying flat on his back on the seat of his car.

A reporter said a man and a woman wererumbling on the upper level of a walkway overlooking the underpass.

Lawrence O'Brien, presidential aide, said he had no information on whether the President's son was alive.

Mrs. Kennedy was weeping and trying to hold up her husband's head where reporters reached the car.

Fire equipment was rushed to the building from which the shots had been believed.

Flames roared up off the area as Secret Service men and city police swarmed through the building.

A tight sewer led to the upper level of the walkway.

That morning police swept in to save Mrs. Kennedy's son. The President's son had been rushed to Parkland Hospital.

President Carter advised Dr. Hennings that an condition would be released immediately on the President's condition.

At the Triple Underpass, large numbers of the crowd were milling around half-clothed, half-drastically shouting, "The President's shot!"
On the facing page is a facsimile of The Dallas Times Herald which was on the street within an hour of the President's death, before Oswald was at police headquarters, and while first impressions were fresh and vivid in the reporter's mind. The writer of this front page story is George Carter, the reporter who monitored the broadcasting station at police headquarters and who alerted his news editor at 12:25 that something was wrong at the underpass. This was five to six minutes before the President was shot. Below are keyed excerpts whose significance has been emphasized in the text as contradicting or undermining the official version of the Oswald case.

1 A man was arrested and taken to the sheriff's office.

2 The shots seemed to come from the extension of Elm street . . .
   Police swarmed into the area toward the railroad tracks.

3 Police issued a pickup order for an unknown white male, about
   30, slender, 5'-10', 165 pounds, armed with a .30 caliber rifle.

4 Sheriff Decker came on the air around 12:25 p.m.
   "I don't know what's happened . . . Go to the railroad yards off
   Elm near the triple underpass."

5 But reporters . . . said a man and a woman were seen scrambling
   on a walk over the underpass.

6 A reporter said a man and a woman were scrambling
   on the upper level of a walk way overlooking the underpass.

7 Witnesses said six or seven shots were fired. The bursts were
   clearly heard.

8 (from separate story) A list — by name — of known agitators in
   Dallas . . . was obtained. Agents became familiar with them . . .
Above: LIFE cover for Feb. 21, 1964 and PARIS MATCH for Feb. 29, 1964 both using the identical picture of Oswald with a rifle and telescopic sight. In between is the AP photo (taken from NEWSDAY Feb. 19, 1964 which is exactly the same but WITHOUT the telescopic sight to fit the story of an Irving gunsmith (see Chapter 8). Below is rifle found in Depository, held by a Dallas official.
The rifles are taken from pictures on facing page. LIFE, AP, MATCH and UPI photo from DALLAS. They are in same proportion and it is evident that the first three are identical and the last is different. It is longer and heavier, the distance from end of stock to bolt is different, the curve on the stock is different, the length of bolt and its relation to the trigger guard is different. The original photographs show all the differences very clearly, but as explained in the note at end of this section, they are no longer obtainable.
A hole in the windshield of the President's car was seen by two newspapermen, Richard Dudman of the St. Louis Post-Dispatch and Frank Cormier of the AP, who thought it was a bullet hole. The existence of such a bullet hole would present a serious challenge to the official version which states that only three shots were fired, that they were all fired from the Depository Building by a Carcano rifle, and that they found their mark in the two victims. What then made the bullet hole?

On the other hand, if a bullet came from the triple underpass ahead of the car, it could have gone through the windshield and into a victim. The dilemma is this: if all shots came from the Depository, four or more shots are probable — an impossibility for the Carcano rifle in five and a half seconds; if only three bullets were fired, at least one came from the underpass. In either case, two or more killers would be involved. Diagram shows trajectories from Depository window and possible trajectories from the underpass.
The diagram illustrates the text of Chapter 10, showing position of individuals in the presidential car, the trajectory of the bullet in Connally's body (it hit just behind the right shoulder and travelled downward through the chest into left thigh) and Connally's movements. He said he turned right, and then left to see the President. Connally says he was hit after TURNING left. If the shot came from the depository, there could only have been a fraction of a second when his body was in a position to make the trajectory possible. If it came from the underpass, there would be many seconds.
UPI photo #DAP112226 dated 11/22/63. Caption on original reads: "The double dotted line marks the path of President Kennedy's car. The single dotted line marks approximate path of the bullet from the window (large arrow) to its impact with President Kennedy. A Dallas policeman points to a spot (small arrow) where a bullet is believed to be embedded in the ground."

Nothing more was heard of this bullet. If it exists, it makes the fifth bullet found, although only three shots are officially acknowledged as being fired.

Ad for the Carcano rifle bought by Oswald. Oswald did not buy ammunition at the time (item E20-751) and there is no record of purchase anywhere else.
Texas innovation: the anonymous affidavit. By definition, an affidavit is sworn before an official such as a notary public, by a person who is identified by that official and the signature mark sworn to. Here is an unsigned, unnotarized 'affidavit' by an unknown person who didn't even complete it. This legally worthless scrap of paper is used to bamboozle the press and build up the "cinched" case, as shown in the NEW YORK TIMES of Nov. 28. The man is Assistant District Attorney Bill Alexander of Dallas.
Time elements in the murder of patrolman Tippit favor Oswald's innocence. The only witness, Helen Markham, sets its time ten minutes earlier than the 1:18 of the police. If Mrs. Markham's testimony stands up, it was impossible for Oswald to have been there. Further, a passer-by flashed the alarm after the murder over Tippit's own radio. This time was given by all newsmen at 1:15 which jibes with Mrs. Markham's time and again makes it impossible for Oswald to be present since the author, walking very briskly from B to C, took ten minutes. Oswald could barely have made it by 1:18 p.m. How could the Dallas police be so precise, when Mrs. Markham who was the only witness has sworn to 1:06 p.m.?

Oswald took a taxi from downtown Dallas between 12:45 and 12:50 p.m. to 500 N. Beckley, nearly three miles away. According to LIFE, Oswald got out of the cab (A) at 1:00 p.m.

He walked five long blocks to his lodgings to get his jacket and then went to the bus stop at his corner (B); it was at least 1:06 p.m.

At that very moment over a mile away, Mrs. Markham first saw the killer at C; her sworn time is 1:06 p.m.

The Dallas police have set the time for the killing at (C) as 1:18 p.m.
AREA OF TIPPIT'S MURDER

A. WHERE OSWALD LEFT HIS CAB.  
   1:00 P.M.

B. CLIFF OSWALD'S LODGINGS AND BUS STOP  
   1:06 P.M.

C. MURDER OF TIPPIT  
   1:06 P.M.  
   MRS. MARKHAM  
   1:18 P.M.  
   DALLAS POLICE

WHERE STORE MANAGER SAW OSWALD.

TEXAS THEATER
G-MEN ‘DEAL’ WITH DEFENCE KEEPS OSWALD IN SHADOWS

From DOROTHY KILGallen

G-MEN ‘DEAL’ WITH DEFENCE KEEPS OSWALD IN SHADOWS

FBI INFORMED Of Oswald Job Housewife Say

OSWALD ASSASSIN BEYOND A DOUBT, F.B.I. CONCLUDES

OSWALD ASSASSIN BEYOND A DOUBT, F.B.I. CONCLUDES

The report is known to emphasize that Oswald was unquestionably the assassin that he acted alone.

Speculation that Oswald and Ruby knew each other, or some way were part of a vendetta or association, is completely discounted in the report.

The slaying of Oswald by Ruby, an act witnessed by millions on television, is similarly reported in the F.B.I. document.

There is no attempt to say Ruby guilty in a legal sense. This is a matter for a jury.

Ruby’s lawyer has said his client will plead temporary insanity. Hence, a jury could find that though a man commits the act of killing Oswald, he was not guilty by reason of insanity.

Congress, meantime, gave the Warren commission subpoena powers. When the commission next meets will be determined by the Chief Justice. Its conclusions after that will be determined in the light of the facts in the F.B.I. report.
Washington Insiders Rocked
By Report of a Fantastic Letter

LINK RUBY & OSWALD

SHOCKED OFFICIALS HEAR:
U.S. Justice Dept. Letter Blocked Their Arrest Seven Months Before JFK Slaying

U.S. Gagged
The Oswald Plot Talk

By Dom Bonafede
Of The Herald Tribune Staff

DALLAS, Tex.

Plans by Dallas police to link the Nov. 22 assassination of President Kennedy with an international conspiracy were headed off by Washington officials a few hours before the arraignment of Lee Harvey Oswald, the suspected assassin, the New York Herald Tribune has learned.

The disclosure was made by a high-ranking law official here.

"Washington was anxious not to have the assassination tied in with an international plot because of the harm it would do to U.S. foreign relations," the official commented.

Speculation that Oswald may have been the trigger man in an ideological conspiracy has raged almost from the moment of his arrest.

Giving impetus to the speculation is a book recently published in Europe by Thomas Buchanan, former Washington newspaperman, which maintains the assassination was part of a conspiracy.

The second complaint, for the slaying of John F. Kennedy, was filed at 11:26 p.m. by Capt. Fritz and accepted by Mr. Wade. It is numbered F 154. Arraignment was at 1:35 a.m., Nov. 23.

Most law enforcement officials are convinced that Oswald was the killer of President Kennedy. But many believe, as one officer remarked, "He (Oswald) must have gotten advice or inspiration from somebody else."

The news item on the right (New York HERALD TRIBUNE, May 19, 1964) shows the guerrilla warfare of the Dallas police escalating into an attack on Washington, with red-baiting overtones. A Dallas "high-ranking law official" says his colleagues planned to tie Oswald in with an international communist plot, but Washington intervened. This is probably true: Washington knew Europe would not accept such fabricated nonsense — not to mention the risk of Soviet proof that Oswald was a CIA agent.

The item refers to a book published in Europe by Thomas Buchanan, but omits Buchanan's charge of a right-wing conspiracy.

The Dallas police are fearful of being made scapegoats for whatever conspiratorial forces did exist. They are building up a record: for example they now say Captain Fritz filed a Kennedy murder charge against Oswald at 11:26 P.M., Nov. 22 — something not previously mentioned. In defending their record, the Dallas police may try to frame the FBI, witness Lt. Revill's accusation that the FBI knew Oswald was capable of assassination (see headline opposite page). It is a sordid, but enlightening, spectacle.

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A RAGING CONTROVERSY

Like the eternal fire that burned before the first President, the American people continued to discuss who killed him, as if he were still present. In the hours after his assassination, only one thing was certain: Oswald was involved. But was he alone?

As for the question of who killed President Kennedy, there was no easy answer. Theories and speculations have swirled ever since his assassination in 1963. The mystery continues to this day. Some people believe that Lee Harvey Oswald was the lone assassin. Others believe that there was a conspiracy involving multiple assassins. The truth is likely somewhere in between.

Whether Oswald was acting alone or as part of a larger conspiracy, the events surrounding his actions on that fateful day are still debated. Many questions remain unanswered. Was Oswald truly innocent, as some believed? Or was he a patsy or a pawn in a larger scheme? It's impossible to know for sure.

But one thing is certain: the assassination of President Kennedy was a turning point in American history. It shattered the facade of innocence and safety that many Americans had come to expect. From that day forward, the world of politics, intelligence, and international relations would never be the same again.
What we want is conclusive proof that the man is not Oswald, not just the bland assurance it is Lovelady... God, I hope it isn't Oswald in the picture. But I want it established beyond any doubt at all....

There are limits to even the most sophisticated photo-enlarging techniques. Above left, an unretouched photograph of Lee Oswald the afternoon of his capture. Center, the "man in the doorway" enlarged to about twice the size of the print on page 8. Right, the same print enlarged about eight times its original size.

This book has argued that the Dallas police and the FBI have suppressed information about the Oswald case. Even with the immense power of these two agencies, it is impossible to suppress everything: as in a knitted garment, a single broken stitch can unravel the whole fabric of the official version. The feud between the FBI and the Dallas police (see previous pages) has broken quite a few stitches. Now a photograph showing a man who may be Oswald in the doorway of the Depository at the moment the shots were fired, threatens to rip the official case asunder. The entire story, must reading for every American, is published in the New York Herald Tribune of May 24, 1964. The FBI says the "man in the doorway" is a co-worker of Oswald named Billy Lovelady, but the identity with Oswald is so striking that it casts grave doubts on the FBI's explanation. The New York Herald Tribune ad (see opening page of this section), points out that the man in the doorway "bears an extraordinary resemblance to Lee Harvey Oswald. The high forehead, deep-set eyes, tapering jawline, the clothes. Even the set of the mouth." And, we may add, the shirt open on the chest when Lovelady said he had his shirt "buttoned near the neck."

In any case, when two such dissimilar but influential newspapers as the New York Journal-American and the New York Herald Tribune begin to voice doubts concerning the official version of the Oswald case, a breakthrough to truth is on the horizon.
**VIOLENCE ERUPTED**

**HOMICIDE REPORT**

**CITY OF DALLAS**

---

**Last Name of Person Killed**: Kennedy, John F (-President of U.S.)

**First Name**: John F

**Middle Name**: J

**Residence of Person Killed**: Washington, D.C. (White House)

**Date**: Fri, 11/22/63

**Time of Day**: 12:30 PM

**Place of Occurrence**: Elm St. (approx. 150' W of Houston)

**Seat**: RHR

**Division**: 2

**Picquest**: 2

**Sex**: Male

**Age**: 47

**Height**: 6'0"

**Weight**: 190 lbs

**Eye Color**: Blue

**Hair Color**: Brown

**Identifying Marks, Scars, Etc.**: None

**Weapon**: Gunshot

**Cause of Death**: Gunshot

**Class of Offense**: Murder

**Officer**: W. H. Blessing

**Deceased Name**: John F. Kennedy

**Address**: White House

**Witnesses Affidavits**: All witnesses affidavits are in Homicide Office.

---

**POLICE DEPARTMENT**

**Detective**

**Reported By**: John F. Kennedy

**Date**: Fri, 11/22/63

**Time of Day**: 12:30 PM

**Place of Occurrence**: Elm St. (approx. 150' W of Houston)

**Seat**: RHR

**Division**: 2

**Description of Dead Person**:

**Homicide Report**

**City of Dallas**

---

**Witnesses Affidavits**: All witnesses affidavits are in Homicide Office.

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**VIOLENCE CONTINUES**

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**Bob Considine At Scene**

**Violent Dallas: A New Chapter**

---

**WHAT NEXT?**

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**New York Journal American**

**SUNDAY FINAL**

**BOB CONSIDINE AT SCENE**

**Violent Dallas: A New Chapter**

---

**Oswald's Identifier Also Shot**

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**WHAT NEXT?**
THE GAPS IN THE WARREN REPORT
Joachim Joesten
This fifty-page analysis of the Warren Report is available in a separate pamphlet for wider distribution. It would be a thoughtful gift to your friends. $1.00

CRITICAL REACTIONS TO THE WARREN REPORT
A compilation of the major articles which appeared in the New Republic, the New Leader, the Nation, the National Guardian, and station WBAI by careful commentators who found flaws in the report even when they found it impressive. $1.00

I'm a cosmopolitan, a polyglot and even now in my advanced years, an indefatigable traveler. Born on June 29, 1907, at Cologne of a Rhenish father, a doctor, and a Bavarian mother, a painter, I studied first at German universities then, at 18, went to Nancy University in France. Later, I attended the University of Madrid.

"At the time of Hitler's advent to power I was in Berlin, still studying and just starting to write for the press (in particular Carl von Ossietzky's Weltbuehne). On March 5, 1933, I emigrated, first to France, later to the Scandinavian countries. In 1938, I wrote my first book which was published early in 1939 by Gollancz, London. It was prophetically entitled Denmark's Day of Doom — an accurate forecast of the invasion of Denmark by the Nazis, which materialized a year later. "This lightning invasion, on April 9, 1940, caught me by surprise in Copenhagen and almost doomed me. Luckily, I was able that night to flee from the occupied country in a fishing boat that took me to Sweden, where I was interned for some five months. In September 1940, I married a Swedish girl, May Nilsson, and we started out together, immediately, on what we remember as our "Siberian Honeymoon," for we spent it — nine days — on the Trans-Siberian Railroad after having flown to Moscow from Stockholm, en route to America. By way of Vladivostok, Japan and Costa Rica, we finally reached New York in March 1941. In September of the same year our daughter Ingrid, only child, was born in New York.

"I first got a job with Newsweek magazine, where I worked for about two years as an assistant editor in the foreign department. Since 1944, I have been a fulltime freelance writer. To date, I have written 26 books, partly in English, partly in German, and hundreds of newspaper or magazine articles and features. I read and understand eleven languages and speak, more or less fluently, five (English, German, French, Spanish and Swedish). I have been an American citizen since 1948."