

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Civil Action No. 75-226

AFFIDAVIT OF JAMES T. TAGUE

1. My name is James T. Tague. I live at 14324 Shoredale Lane, Dallas, Texas. I am the Fleet Sales Manager of Steakley Chevrolet, Inc., at 6411 East Northwest Highway, Dallas, Texas, an automobile dealership which employs over 200 people.
2. I am the bystander mentioned in the Warren Commission Report as having received a minor wound in the shooting that killed President John Kennedy and seriously wounded then Texas Governor John Connally.
3. The place at which the assassination occurred is known as Dealy Plaza. It is bounded on the north by Elm Street, on the south by Commerce Street, with Main Street between them. At that time, Elm Street was a one-way street headed west and Commerce Street was a one-way street headed east. These three streets flow together at the west end of Dealy Plaza at what is known as the "Triple Underpass," formed by bridges and an excavation to permit traffic to flow underneath the wide railroad tracks.
4. At shortly before 12:30 p.m., Dallas time, on November 22, 1963, I was driving east on Commerce Street, in the northern (left) lane. As I was about to emerge from under the triple underpass, I was blocked by stopped traffic. I left my car and was standing on the north side of Commerce Street between Commerce Street and Main Street, when the Presidential motorcade was going west on Elm Street.
5. As the motorcade came down Elm Street, I heard a noise that at first, sounded like an exploding firecracker. As I was looking around Dealy Plaza, trying to determine what it was that I had heard, I heard the sounds of the second and third shots. I saw people throwing themselves to the ground. I reacted by stepping behind a pillar of the

Triple Underpass. As I emerged from behind this pillar, a man, whom I later determined to be Deputy Sheriff Eddy R. "Buddy" Walthers, ran up to me and asked me if I had seen what had happened. After I told him that I did not know what had happened, we walked to where a small crowd had gathered around a motorcycle policeman. A man was exclaiming, "His head exploded! His head exploded! The President's head exploded!" At this point, Deputy Sheriff Buddy Walthers said that I had blood on my cheek. It was at this time that I remembered something had stung me on my cheek during the shooting. We walked back toward the place I had been standing. When we were approximately 30 to 40 feet from this point, Mr. Walthers exclaimed, "Look there, on the curb." There was a very fresh mark on the curb, which appeared to have been caused by a bullet. I recall that other officers came up and inspected this impact point. I recall that the motorcycle policeman called in on his police radio the fact that I had received a slight wound. I was then sent to the Homicide Section of the Dallas Police Department to give my statement. A homicide officer, whose name I do not recall, took my statement.

6. While this officer was taking my statement, Lee Harvey Oswald was brought into the adjoining cubicle, where there were many other police officers.

7. Since then, I have never seen the statement prepared by this homicide officer.

8. I later learned that on November 23, 1963, Deputy Sheriff Walthers took two photographers to the spot where I had been standing in Dealy Plaza and they photographed the curbstone, showing the point of impact from which I was wounded.

9. I now am not certain whether it was a fragment of bullet or a fragment of concrete that sprayed from the impact that caused my minor wound.

10. Because this was an event of some importance, I made some notes at that time, thinking that in the future, they might be of some interest to my children. I have also saved a few news stories.

11. I thought it was strange that with an extensive official investigation going on, that no FBI agent ever spoke to me when the fact of my minor wound was on the police radio and in police reports and when a picture of the impact on the curbstone had been printed in Dallas newspapers. A copy of one that I preserved is attached as Exhibit "A". This is one of the photographs taken on November 23, 1963, by Tom Dillard, of the Dallas Morning News.

12. The next month, on December 13, 1963, after a news story headlined "Questions Raised on Murder Bullets" appeared in the Dallas Morning News, I phoned the FBI. It then interviewed me the following day.

13. This news account goes into a question that perplexed me, in addition to the lack of official interest in a first-person account of some of the firing during the assassination. It is with President Kennedy's having received a fatal wound and a non-fatal wound and Governor Connally's having been wounded in three different parts of his body and with only three shots fired, what caused my wound when I was twice as far from the place the shots were said to have come from as the Presidential car was?

14. Because of the manner in which I preserved this news account, it did not keep in good condition. I have asked my wife to retype it, and her retyped copy and a photostat of the news story are attached herein as Exhibit "B".

15. While there are these and other news accounts, my own notes of the time and the FBI account of its interview with me all refer to a chipping of the curbstone, I now have no independent recollection of a chipped point. I am absolutely without doubt that there was a very visible mark and that Deputy Sheriff Walthers saw it from a distance.

16. All accounts are as this news story expressed it, "freshly made."

17. Harold Weisberg showed me a copy of the FBI's account of its December 14, 1963, interview with me on June 10, 1977. A copy of this report is attached, marked Exhibit "C". A sentence in it that refers to this and to what I then said about it reads, "He did look around

the curb and near where he was standing, there was a chip missing, which he stated looked fresh."

18. Mr. Weisberg has also shown me another two-page document, identified as Pages 32 and 33 of CR 1245. It is not dated. It purports to be what a Dallas Times Herald reporter named Jim Lehrer told FBI Agent Alfred C. Ellington. The initials at the top are "RPG". Mr. Weisberg has informed me that these are the initials of a since-retired agent, Robert P. Gamberling, who compiled and rewrote reports in the FBI's Dallas Field Office.

19. This document, attached as Exhibit "D", appears to be about twice as long as the FBI report that is Exhibit "C". I note that it contains no mention of any evidence of the shooting in the assassination and appears to be an effort to attack my credibility, without so stating. While it refers to what is called "his story" it makes no mention of the information I gave the FBI earlier or of the many independent confirmations of it in current news accounts quoting police officials or to the statement the Dallas police took from me the afternoon of the day of the assassination.

20. Aside from being what I regard as a prejudicial account, the FBI never checked with me if there is inaccuracy, whether or not intended prejudicially, in describing me as a "used car salesman" in the third paragraph. I have had a 16-year career in new car sales and fleet sales management. My specialty is fleet sales throughout the United States and abroad. These range from the sale of fleets of vans that are bullet-proofed in Dallas and are sent throughout the United States as the vehicles of the Purolator Armored Car Service, to foreign orders in the hundreds, including some that because of domestic business conditions, were too large to be contracted profitably.

21. Mr. Lehrer's account of his interview with me appeared in the Dallas Times Herald of June 5, 1964. It is attached herein as Exhibit "E". It states nothing that is alleged in the RPG report, Exhibit "D"; suggests nothing of the sort; and, in fact, says exactly the opposite of my being a self-seeker, or a publicity seeker:

"What bothers me is why nobody has taken an interest in my story before," said the 27-year-old man, who asked that his name not be used. (Emphasis added).

Mr. Lehrer had contacted me on the morning of June 5, 1964, and told me that a mutual friend had told him of my experience in Dealy Plaza on November 22, 1963, and wanted to know if he could come by and talk to me. I told him yes, and he came to my place of employment a few minutes later. I told him briefly of my experience and asked him not to use my name. Around noon, approximately an hour and a half after Mr. Lehrer had left, he called me, very excited. He told me, "They are calling me from all over on this story." I was a bit taken aback, and asked if the paper had come out already. He said no, he had put it on the wire service and Washington was calling--the FBI was calling, and they wanted to know who the man was in the article. He told me he had given them my name.

22. While after 13 years, I now have no independent recollection of the total conversation with Mr. Lehrer, I am certain it was not as represented in this secret record I saw for the first time on June 10, 1977. What appears to be more likely is my concern that Mr. Lehrer might try to use what I had told him for his personal gain. At that time, the large picture magazines were reportedly paying large sums for stories about the assassination.

23. Mr. Weisberg has also shown me other records bearing Warren Commission identifications. One of these, attached as Exhibit "F", shows that although I was publicly known to have been wounded, if very slightly, during the assassination, and had observed the impact point of a bullet fired during the assassination, the Warren Commission sought no information from me for more than six months. This memo of June 11, 1964, shows that as of that date, no effort had been made to "determine the knowledge of each on where the missing bullet struck." (The other person being Mrs. Donald Baker, in reference to another incident).

24. Exhibit "G" is the letter of about a month later in which I was finally asked to testify.

25. Exhibit "H" is the schedule for the taking of testimony that includes mine. It shows that for the testimony of four eye-witnesses, two of whom took pictures of the actual shooting, a total of three hours and fifteen minutes was allotted, if there was no break for lunch.

26. Mr. Weisberg has given me a photostatic copy of the stenographic transcript of my actual testimony before Wesley J. Liebeler, staff attorney of the Warren Commission. These pages are numbered from 57 to 76, inclusive.

27. Pages 62 and 66 are some of the questions and answers relating to the impact and the minor nature of the wound (Exhibit "I").

28. Pages 73-75, attached as Exhibit "J", contain questions and answers relating to where the shots appeared to me to come from. The reference in Mr. Liebeler's question on Page 73 to "behind the concrete monument here between five and seven, toward the general area of C?" is to a point marked on an aerial photograph of the scene of the crime. This point is about the middle of the north side of Dealy Plaza rather than the northeast corner of it where the Texas School Book Depository Building is. This is the area to which policemen and others rushed immediately. It is part of what is called "the grassy knoll".

29. Pages 68 and 69 (attached as Exhibit "K") include a very surprising disclosure by Mr. Liebeler when he questioned me. To the best of my knowledge, nobody knew I had returned to Dealy Plaza to take home movies of the mark on the curbstone in May of 1964, with which my minor wound was connected during these historic moments. Because as I testified, "I didn't know anybody knew about my taking these home movies." I was even more surprised when Mr. Liebeler asked me if a picture he showed me was an individual frame from my movies. This is not only because I had not given copies of my movies to anyone and no official investigator had asked for them or in any way indicated any knowledge of their existence. It is also because Mr. Liebeler's question on Page 68 actually indicates that officials had a copy of my movie film. His question is, "I show you Baker Exhibit No. 1 and

ask you if you took that picture." The fact is that my film has since disappeared from my home and I have no knowledge of how or under what circumstances.

30. Earlier this year, I obtained a copy of Mr. Weisberg's book, Post Mortem. It has several references to my experiences that tragic day. On Pages 608 and 609, it has pictures of the impact point on the curbstone. On November 22, 1963, approximately 10 minutes after the shots were fired in Dealy Plaza, I witnessed Mr. Walthers pointing out the mark to several people and some photographs being taken of this mark. After reading Post Mortem, I phoned Mr. Weisberg.

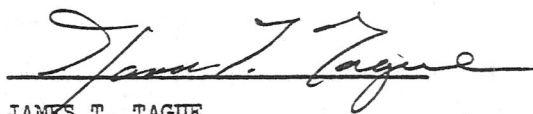
31. During our conversation, I told Mr. Weisberg of my taking movies of the curbstone and of the later disappearance of the film. He has given me and I have read a file of records relating to me from which the foregoing exhibits of official origin are selected, as well as the letter of February 3, 1977, to him from the National Archives enclosing "copies of the Warren Commission file relating to James Tague" (Exhibit "L").

32. There is no record among these indicating any basis for Mr. Liebeler to have known that I had any film. There is no reference to my film of any kind, no matter how indirect, that even suggests its existence. There is only the disclosure of Mr. Liebeler's knowledge of it in the pages of the deposition attached hereto as Exhibit "K".

33. How any government agent or official knew I had taken these movies and how they later disappeared, I cannot explain.

34. I cannot be certain whether it was a fragment of bullet or a small piece of concrete that caused the minor cheek wound I sustained during the assassination of President Kennedy. There is not and never has been any doubt in my mind that this minor wound was associated with the mark on the curbstone, as every newspaper and official account I have seen states, including the Warren Report (Chapter III, Subtitle, "The Third Shot"). As Exhibit "B" states, from the moment of the shooting this was also the expressed belief of then Chief Criminal Deputy Sheriff Alan Sweatt and his assistant, Deputy Sheriff Buddy Walthers.

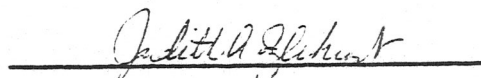
35. While after 13 years I am not certain about the nature of the visible point of impact on the curbstone, I am certain of the words of my testimony quoted in the Warren Report on this, "That there was a mark quite obviously that was a bullet, and it was very fresh."


JAMES T. TAGUE

CITY OF DALLAS
COUNTY OF DALLAS, TEXAS

Before me this 11 day of July, 1977,
deponent JAMES T. TAGUE has appeared and signed this affidavit, first
having sworn that the statements made therein are true.

My commission expires July 1978.


NOTARY PUBLIC IN AND FOR THE
COUNTY OF DALLAS, TEXAS