

MEMORANDUM

A SMALL MATTER OF ARITHMETIC

WARREN REPORT, Expert Testimony, Page 84 on Mr. Frazier's Qualifications as a Firearms Expert

"One was Robert A. Frazier, a special agent of the FBI assigned to the FBI Laboratory in Washington, D.C. Frazier has worked generally in the field of firearms identification for 23 years, examining firearms of various types for the purpose of identifying the caliber and other characteristics of the weapons and making comparisons of bullets and cartridge cases for the purpose of determining whether or not they were fired in a particular weapon. He estimated that he has made "in the neighborhood of 50,000 to 60,000" firearms comparisons and has testified in court on about 400 occasions."

REMARKS:

Now 23 years of experience on the basis of 264 working days per year and an 8-hour day is the same as 48,576 hours.

Neglecting 400 court appearances and time out for coffee Mr. Frazier would have had to make one fire-arm comparison per hour to make "in the neighborhood of 50,000 to 60,000 comparisons".

This would be one gun right after another on a production line basis.

From a study of the complexity and responsibility of making these comparisons, as so carefully set forth in the Warren Report, what with microscopic studies, molds, rifling characteristics and etc., this efficiency is unbelievable.

MEMORANDUM
CORRELATION OF GOVERNOR CONNALLY'S TESTIMONY TO
ALTGENS PHOTOGRAPH

OFFICIAL WARREN REPORT, Page 49

The Governor testified he recognized the first noise as a shot and he instinctively turned to his right. Unable to see the President, he started to look over his left shoulder but he never completed his turn because he felt something strike him in the back. (Underlined by author)

REMARKS:

The Governor's testimony agrees with a study of Altgens photograph. The President had already been shot in this photograph and the Governor is turned to his right. Now, the Governor said he was hit just as he started to turn back. This would mean that two shots were required which is contradictory to Warren Report conclusions.

MEMORANDUM

THIS MEMORANDUM REVIEWS THE GOVERNOR'S ACTIONS AS
INTERPRETED BY THE WARREN COMMISSION

WARREN REPORT, Page 3

This page quotes as follows:

"The Governor started to turn toward his left and suddenly felt a blow on his back. The Governor had been hit by a bullet which entered in the extreme right side of his back. The force of the bullet's impact appeared to spin the Governor to his right, and Mrs. Connally pulled him down into her lap." (Underlined by author)

REMARKS:

It is inconceivable that a bullet hitting the Governor on his right side would spin him to the right, since every physical reaction would be to turn him to the left if he had been hit in such a manner.

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MEMORANDUM

A SMALL MATTER OF ANGLES DURING SHOOTING
REENACTMENT

WARREN REPORT, Page 99

- (1) Commission Exhibit 887

WARREN REPORT, Page 102

- (2) Commission Exhibit 893

WARREN REPORT, Page 98, Middle third paragraph

- (3)

"The test revealed that the next point the rifleman had a clear view through the telescopic sight was the point where the bullet entered the President's back--at Frame 210"

NEWSWEEK, Page 37, October 5, 1964

- (4) Reenactment Photo by Associated Press

REMARKS:

Photo in (4) above shows the angle of the path of the bullet to be approximately 12° as it went, again supposedly, through both President Kennedy and Governor Connally.

Referring to chart on Page 100 of WARREN REPORT, angle of fire from Depository Building is $21^\circ 34'$ at the time of the first shot.

Now how did the bullet leave the rifle at $21^\circ 34'$ and end up entering Kennedy's back at 12° ?

MEMORANDUM

WARREN REPORT OF REENACTMENT PICTURE OF
ALFGEN PHOTOGRAPH

WARREN REPORT--Page 113

Top photograph--actual scene of assassination

Bottom photograph--reenactment of assassination

REMARKS:

Reenactment photograph shows an intermediate white traffic line added to scene.

These traffic lines are extremely important in the establishment of the exact position of the automobile at relative periods of time.

The addition of this line tends to confuse the proper evaluation of events and should not have been introduced if a pristine condition is desired.

MEMORANDUM

SQUARE PEGS IN ROUND HOLES
WARREN REPORT EVALUATION OF MOTION PICTURE FRAMES
OF ASSASSINATION

WARREN REPORT, Page 98, Last Four Lines

"It is probable that the President was not shot before Frame 210, since it is unlikely that the assassin would deliberately have shot him with a view obstructed by the oak tree when he has about to have a clear opportunity."

REMARKS:

The above assumption is based upon the conjecture that the President was shot from the window and is therefore not acceptable under any rule of logic, since it presupposes as a fact the very things which are under investigation.

MEMORANDUM

DISREGARD OF EXPERT TESTIMONY

WARREN REPORT - PAGE 116

"At a different location in Dealey Plaza, the evidence indicated that a bullet fragment did hit the street. James T. Tague, who got out of his car to watch the motorcade from a position between Commerce and Main Streets near the Triple Underpass, was hit on the cheek by an object during the shooting. Within a few minutes Tague reported this to Deputy Sheriff Eddy R. Walthers, who was examining the area to see if any bullets had struck the turf. Walthers immediately started to search where Tague had been standing and located a place on the south side of Main Street where it appeared a bullet had hit the cement. According to Tague, "There was a mark quite obviously that was a bullet, and it was very fresh." In Tague's opinion, it was the second shot which caused the mark, since he thinks he heard the third shot after he was hit in the face. This incident appears to have been recorded in the contemporaneous report of Dallas Patrolman L. L. Hill, who radioed in around 12:40 p.m.: "I have one guy that was possibly hit by a ricochet from the bullet off the concrete." Scientific examination of the mark on the south curb of Main Street 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

MEMORANDUM
continued
DISREGARD OF EXPERT TESTIMONY

WARREN REPORT - PAGE 116 continued

section was made by an unutilated military full metal-jacketed bullet such as the bullet from Governor Connally's stretcher."

REMARKS:

Here again the assumption that the bullet in question did not come from the assassin's gun was based upon the conjecture that the President was shot from the window with a metal-jacketed bullet. To disregard direct evidence such as this on such a basis is direct violation of all the laws governing criminal investigation and the use of logic.

It presupposes as a fact the very problem that is under investigation.

The correlating evidence of the lead residue on the inside of the windshield leads me to believe the shots killing the President came from lead bullets without a metal jacket.

MEMORANDUM

EXPERT TESTIMONY

WARREN REPORT--Page 558, Last Paragraph

"In a crouched stance a person can fire five shots with the revolver in 3 to 4 seconds with no trouble."

REMARKS:

If the President were shot using a revolver the above statement would more nearly fit the time interval of the shots to be accounted for.

MEMORANDUM

PROPER EVALUATION OF EXPERT TESTIMONY

WARREN REPORT - middle of PAGE 105

"If the trajectory had permitted the bullet to strike the windshield, the bullet would have penetrated it and traveled a substantial distance down the road unless it struck some other object en route."

REMARKS:

Warren Report in effect said windshield damage could NOT have resulted from a rifle shot from the window.

This window damage could much more logically be attributed to a bullet coming in from the side as described in this report.

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MEMORANDUM

CONFLICTING CONCLUSIONS BY SAME AUTHORITY,
WARREN REPORT

OFFICIAL WARREN REPORT, Page 6--referring to the cartons
placed in the Depository

"Carton was placed at the side of the window so
that a person, sitting on a carton, could look down
Elm Street toward the overpass and scarcely be noticed
from the outside."

REMARKS:

If this is true, how did Mr. Brennan get such a
complete description of the assassin since the Warren
Commission concluded he would be scarcely noticed
from the outside?

MEMORANDUM
GOVERNOR CONNALLY AGAIN

WARREN REPORT--Page 112, Sixth Line

"Mrs. Connally testified that after the first shot, she turned and saw the President's hands moving toward his throat, as seen on film at Frame 225. However, Mrs. Connally further stated that she thought her husband was hit immediately thereafter by the second bullet".

REMARKS:

Mrs. Connally's testimony collaborates that of Mr. Connally--both saying that Mr. Connally was hit by the second bullet.

If a rifle were used requiring 2.3 seconds between shots or approximately 38 feet in distance, how does this testimony stand up in the light of the fact that Mrs. Connally said her husband was hit immediately thereafter by the second bullet? Here again a revolver shot would be the most logical explanation for this discrepancy.

MEMORANDUM

VALUE OF CIRCUMSTANTIAL EVIDENCE

WARREN REPORT--Page 555, Last Paragraph

"Apart from the cartridge in the rifle three expended cartridge cases were found in the southeast portion of the sixth floor".....

REMARKS:

Evidently this testimony gave credence to the Commission concluding only three shots were fired.

However, a wealth of testimony would conclude at least four shots were fired and possibly five or six....

(See QUEST FOR TRUTH)

Here again is logic which would preclude the shots coming from the sixth floor of the Depository. The Commission was evidently restricted in their ultimate conclusions to only three shots, so why conduct an investigation?

MEMORANDUM

DESIRABILITY OF ADDITIONAL DETAILS OF
ACTUAL BULLET

WARREN REPORT - APPENDIX X

Description of rifle and cartridges.

REMARKS:

Nothing in Appendix X compares or gives any details of the bullet found on Governor Connally's stretcher. No photograph is included of this extremely important piece of evidence.

Details of the machining of the rifle are gone into with scrupulous care but nothing as to the particulars, details and specifications of this bullet.

On Page 555, a bullet which fits the rifle is described but the actual bullet that was found is not described.

MEMORANDUM

STUDY OF WINDSHIELD BULLET

COMMISSION EXHIBIT 350, Page 78

Photograph following Page 66, Blue Book Warren Report. Note bullet mark on windshield of both photographs.

REMARKS:

A study of the radial lines shown on Commission Exhibit 350 shows a long line toward the driver or in a southerly direction with short lines projecting in a northerly direction away from the driver.

The fracture would indicate that the area of the long line was subject to more energy causing the long crack, whereas, the short radial lines were indicative of less energy as this energy became progressively dissipated.

This alone would give one a general direction of the bullet coming from the side of the car through the side window.

The path of the bullet is etched into the glass in a horizontal position showing it having traversed from left to right in Commission Exhibit 350.

MEMORANDUM

DISCREPANCIES IN REENACTMENT POSTURE

WARREN REPORT--Page 97, Fourth Paragraph

"To simulate the conditions which existed at the assassination scene on November 22, 1964, the lower part of the sixth floor window at the south east corner of the Depository Building was raised half way, the cardboard boxes were repositioned....."

Also Commission Exhibit 887 photograph of reenactment showing C2766 rifle with camera attached,

Commission Exhibit 1301, Page 138

Commission Exhibit C & D, Page 66 and 67

Commission Exhibit 723, Page 80

REMARKS:

To say that the cardboard boxes were repositioned just doesn't agree with facts. Neither the commission photographs Exhibit 1301, Page 138, Dillard Exhibit C, a photograph taken on November 22, 1963, Page 66; nor press photographs taken at the time of the initial investigation show this to be the true reenactment posture.

MEMORANDUM

WARREN COMMISSION TREATMENT OF OSWALD TESTIMONY

This memorandum illustrates a serious discrepancy between the Official Warren Report and the photostat of an FBI report published in a magazine entitled "Warren Report", Collector's Copy \$1.00 published by Associated Professional Services Inc., 6600 Sunset Boulevard, Hollywood and stated it was compiled from the official government transcripts of the Warren Commission.

WARREN REPORT, Page 182, last paragraph

"During the first interrogation on November 22, 1963...

.....
"He stated that at the time the President was shot he was having lunch with "Junior" but he did not give Junior's last name". (Underlined by author)

WARREN REPORT, Collectors Copy \$1.00

Reference is made to a photostatic copy of an FBI Report dated 11/24/63 and identified as DL 89-43 by Special Agent James Bookhout.

..... "Oswald stated that on November 22, 1963 he had eaten lunch in the lunch room at the Texas School Book Depository alone, but recalled possibly two negro employees walking through the room during this period. He stated possibly one of these employees was called "Junior" and the other was a short individual but whose name he could not recall but whom he would be able to recognize". (Underlined by author)

REMARKS:

The Warren Report and the FBI photostat are obviously at odds, since one states he was having lunch with "Junior" and the other stated he was having lunch alone.

ONY

REMARKS: continued

had reference to his anticipated activities during the day.

There had been previous mention in the Warren Report with respect to Oswald having purchased some curtain rods for his apartment. This information could be correctly correlated with Items 3 and 4 of his note in which he stated that he paid the house rent on the 2nd and had also paid the water and gas. It is suggested that someone check the water and gas companies for records of these payments.

Item 5 of this statement possibly refers to the money from work which would be coming. Here again, he would be anticipating a payment from the Depository for his services.

Item 10 refers to the fact that "I left you as much money as I could, \$60, on the second of the month. You and the baby can live for another 2 months using \$10 per week." It has been established in the Warren Report that Oswald left a considerable sum of money on the dresser along with his wedding ring on the morning of November 22, 1963. Since the baby was recently born, the figure of \$10 a week for subsistence would not be unrealistic, since a baby would take very little food.

Item 11, which states his concern about being taken prisoner, undoubtedly refers to his possible arrest by the Dallas Police Department, which, of course, came to pass.

MEMORANDUM

CONFLICTING EVALUATION OF EVIDENCE AT TIME
OF ASSASSINATION AND TIME OF PREPARATION OF WARREN REPORT

Reference is made to UPI Wire Photo picture, published in many newspapers just after the assassination, showing the direction of the supposed shot from the Depository Building down to a pickup truck positioned on Elm Street where the curb is concave inward.

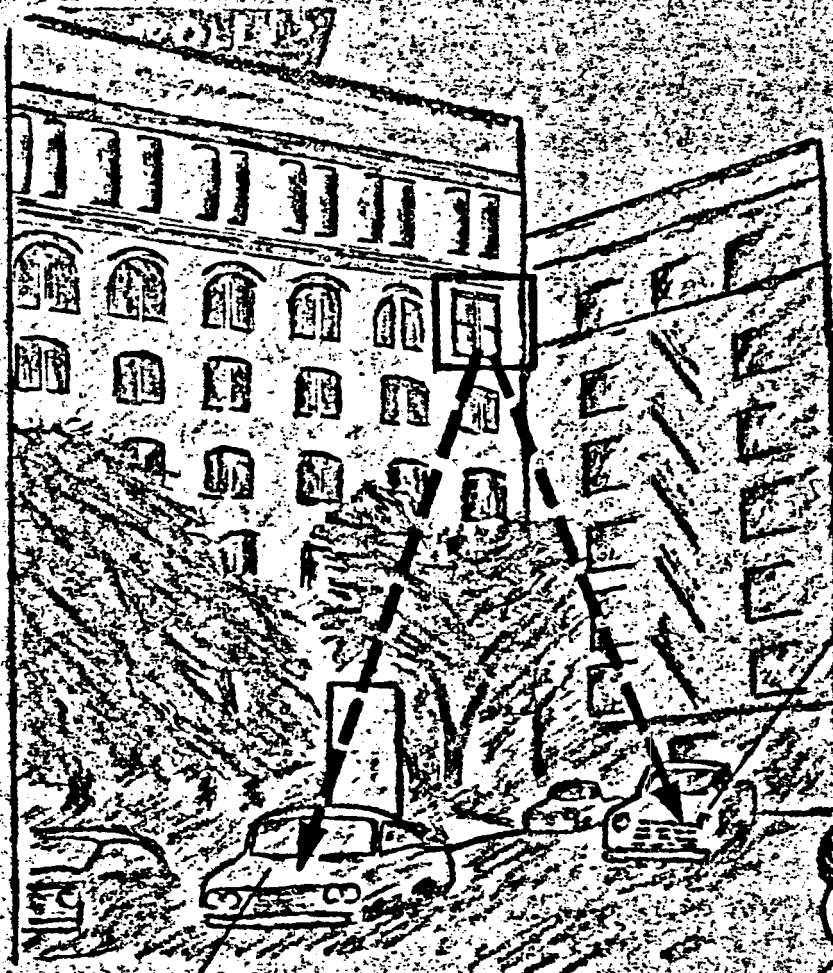
Reference is now made to the second photographic page following Page 66 in the Warren Report published by Associated Press, consisting of 366 sheets, with a blue cover.

This photograph is the identical UPI photograph but now the arrow to the automobile from the supposed assassination window is directed to automobile further west on Elm Street where the curb is concave outward.

REMARKS:

It would seem that the conclusions of the direction of the supposed shots from the Depository Building window changed remarkably between the time immediately following the assassination and the writing of the Warren Report. However, there is no mention of any such change in judgement.

See attached print for news photo referred to above.



COPY OF ORIGINAL WIRE PHOTO IMMEDIATELY AFTER ASSASSINATION

SAME PHOTO AS PUBLISHED IN THE AP EDITION OF THE WARREN REPORT

THIS PORTION OF THE CURB DOESN'T APPEAR IN THE ORIGINAL PHOTO

MEMORANDUM

DISCREPANCY OF PUBLISHED PHOTOGRAPHS
OF "OSWALD" RIFLE

In the following analysis, six photographs are referred to and will be identified by letter for simplicity in future reference.

- A. Warren Commission Report, thick book, Page 82, photograph of Commission Exhibit #139
- B. Warren Report, thick book, Page 132, Commission Exhibit #139, showing rifle disassembled.
- C. FOUR DARK DAYS IN HISTORY, Collector's Copy \$1.00, copyrighted by Special Publications, Inc., 6627 Hollywood Blvd., Los Angeles 28, photograph of Dallas Detective J. C. Day holding aloft a rifle.
- D. The Warren Report, blue book, published by Associated Press, consisting of 366 sheets, second photographic page past Page 66, lower left photograph. Similar photograph to that referred to in "C" reproduced in the Warren Report.
- E. The Warren Report, blue book, published by Associated Press, consisting of 366 sheets, second photographic page beyond Page 306; photograph of Commission Exhibit #139
- F. UPI Photograph from Dallas, reproduced in book identified as "OSWALD: ASSASSIN OR FALL GUY?" by Joachim Joesten, Marzani & Munsell Publishers Inc., 4th and 5th pages of documentary section.

Examination of "A", "B", "E" and "F" shows the following distinguishing characteristics:

- Front sight beveled off toward barrel tip.
- Front part of telescopic sight approximately 1/4" behind barrel projection.
- Rear of telescopic sight base slanted downward and forward.
- Rear telescopic sight mount directly above bolt.

Examination of "C" and "D":

Front sight semi-circular configuration without bevel.
Front part of telescopic sight in line with barrel projection.
Rear part of telescopic sight base vertical.
Rear telescopic sight mount forward of bolt.

COMMENTS of Picture "D":

An examination of picture "D" indicates strongly that it is a retouch of picture "C" with background personnel and door eliminated, with ceiling darkened and body outline, especially jawl, of Detective J. C. Day retouched. The clock in the background, the position of the fingers and head preclude this photograph as being anything except the photograph referred as "C", in its original state.

Reference is made to Page 49 of LIFE magazine, October 2, 1964 edition showing Dallas Detective J. C. Day holding a rifle over his head. This rifle shows the rear telescopic mount to be slightly behind the bolt, with the front of the telescopic sight slightly behind the barrel projection. Strangely enough, this does not coincide with Pictures "C" and "D" referenced above of the same Dallas Detective Day holding the rifle in the same general locale, with the same elevators in the rear background; since "C" and "D" shows the telescopic sight to be further forward.

GENERAL REMARKS: The perplexing array of different rifles, or rifles with different telescopic sights mounted on them, is extremely confusing; especially in view of the fact that Mr. Oswald did not shoot President Kennedy and that the man who shot President Kennedy used a hand gun.

WARREN REPORT, PAGES 187 through 189

A reading of these three pages of the Warren Commission Report is significant in the facts that are presented and are offered here for reader evaluation, without reference to the conclusions reached by the Commission. Several paragraphs are offered out of context and ^{this} should be understood during the reading of this memorandum.

....."Marina Oswald appeared before the Commission again on June 11, 1964, and testified that a few days before her husband's departure from Dallas to New Orleans on April 24, 1963, he finished reading a morning newspaper "...." and put on a good suit. I saw that he took a pistol. I asked him where he was going, and why he was getting dressed. He answered "Nixon is coming. I want to go and have a look." He also said that he would use the pistol if the opportunity arose. She reminded him that after the Walker shooting he had promised never to repeat such an act. Marina Oswald related the events which followed:".....

....."Oswald's revolver was shipped from Los Angeles on March 20, 1963, and he left for New Orleans on April 24, 1963".....

....."On April 23, 1963, Vice President Lyndon B. Johnson was in Dallas for a visit which had been publicized in the Dallas newspapers throughout April. The Commission asked Marina Oswald whether she might have misunderstood the object of her husband's threat. She stated, "there is no

WARREN REPORT, PAGES 187 through 189 (continued)

question that in this incident it was a question of Mr. Nixon." When asked later whether it might have been Mr. Johnson, she said, "Yes, no. I am getting a little confused with so many questions. I was absolutely convinced it was Nixon and now after all these questions I wonder if I am right in my mind." She stated further that Oswald had only mentioned Nixon's name once during the incident. Marina Oswald might have misunderstood her husband. Mr. Johnson was the then Vice President and his visit took place on April 23rd. This was 1 day before Oswald left for New Orleans and Marina appeared certain that the Nixon incident "wasn't the day before. Perhaps 3 days before.".....

REMARKS:

When a man of Oswald's temperament gets dressed up and says "That he would use the pistol if the opportunity arose" it means that he is a dedicated person charged with a grave responsibility; otherwise, the only other answer is that he intended to shoot Vice President Johnson----which is ridiculous; there is a limit to such nonsense.

Any attempt to leave this account of Oswald's behavior unanswered is also, in my opinion, ridiculous.

LEE OSWALD'S ROLE WAS THAT OF A SECRET, PROTECTIVE NATURE.

MEMORANDUM
INVESTIGATION OF 6.5 MM AMMUNITION

WARREN REPORT, Page 555. third paragraph

"When the rifle was found, one cartridge was in the chamber. The cartridge was a 6.5-millimeter Mannlicher-Carcano cartridge, manufactured by the Western Cartridge Co., at East Alton, Ill. This type of cartridge is loaded with a full metal-jacketed, military type of bullet weighing 160-161 grains. The bullet has parallel sides and a round nose. It is just under 1.2 inches long, and just over one-fourth inch in diameter."

REMARKS:

The only full metal-jacketed, military type of bullet the author was able to obtain for a 6.5 mm Mannlicher-Carcano cartridge was that described as follows:

FORSVARETS KRIGSMATERIELFORVALTNING

65 stk.

6,5 mm skarppatroner M/46-ru

Ammunitionsparti: 56-01

Blandingsammunition.

Efterset og ompakket: 1956

PREMSTI LET AF AMMUNITIONSARSENAL

I have been informed that this ammunition is of Danish manufacture and was made to conform to the Geneva Convention requirements for military ammunition. This, I was told, was a humane objective as the bullet does not expand inside of the body of a person who is hit due to its metal jacket.

A careful measurement of this ammunition shows it to be 1.25 inches long, very close to 1/4 inch in diameter, with a metal jacket and a slightly rounded nose. Five individual cartridges were weighed and the following weights were obtained: 156.5 grains, 155.7 grains, 155.8 grains, 155.6 grains, 156.5 grains. No bullet was found to weigh 160-161

grains. It is noted that these bullets are in excess in length of the bullets reported in the Warren Report since the test bullet measures 1.25 inches and the Warren Report bullet measures 1.2 inches long.

An investigation was then conducted into unjacketed lead bullets that are presently procurable through mail-order houses and which have catalog and actual weight of 140 grains. This bullet more closely resembles the description of the Warren Report bullet, since it measures exactly 1.2 inches long. This bullet, however, is not full metal-jacketed, nor of a military type, nor does it weigh 160-161 grains. This bullet is made in Sweden and exported to the United States and distributed by "Norma". The full name of the company is: Norma Projektil fabrik Amotfors Sweden.

A letter was written by the author to the Western Cartridge Company, requesting purchase of a metal-jacketed, military type 6.5 mm cartridge using a bullet weighing 160-161 grains, suitable for use in a 6.5 mm Mannlicher-Carcano rifle, on November 3, 1964. A response to this letter was received on November 12, 1964 written by H. J. Gabelein, Assistant Sales Service Manager of the Winchester-Western Division. His answer is reproduced herein for evaluation:

"In response to your November 3 letter, we regret that the 6.5 M/M Mannlicher-Carcano cartridge is not being produced commercially by our company.

At one time this ammunition was produced on a government contract basis and any ammunition being made available on the market today is government surplus.

Regret we cannot be of help and are returning herewith your blank check No. 137"

From this correspondence, it is concluded that the ammunition referred to in the Warren Report is not being produced commercially by their company. A study of the balance of the letter does not indicate whether or not this ammunition was ever produced by their company. It mentions that this ammunition was produced on a government contract basis but it doesn't state what government is involved in the contract; nor what time this contract and the subsequent ammunition from this contract was produced.

Until this matter is cleared up, there is considerable doubt as to the origin of the ammunition referred to in the Warren Commission Report. It is further noted that no information, as far as the author has been able to determine, has been made available which would indicate any such ammunition having been found on Oswald's person or among his possessions at the time of his arrest. Also, there is no evidence to indicate that at the time of the discovery of the rifle that any news account or other release stated that the cartridges, supposedly found in the Depository Building, were of Winchester-Western manufacture. Surely this valuable piece of information should have been dispensed to the public to obviate the questions raised by experienced gunsmiths who questioned the reliability of old ammunition.

The Warren Report states that the ammunition found, and specified as being of Winchester-Western manufacture, is "readily available for purchase from mail-order houses, as well as a few gunshops" (Page 555 Warren Report)

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Since Mr. Oswald's rifle was traced by the FBI in such a short time, it seems incredible that the source of the ammunition purchased, supposedly made by Mr. Oswald, through a mail-order house, has not up to the present time been established.

This continuous confusion, in what should, under normal circumstances be an insignificant part of any investigation and evaluation in a murder case, is completely astounding.

Here we are a year after the murder was committed, and we still don't know the precise details of the bullet that supposedly had been found.