

shells, and well hidden. Two men appear to have found it at the same time. The Commission saw fit to call only one to Washington. He is Eugene Boone, a deputy sheriff (3H291ff.). The other was Seymour Weitzman, a constable and one of the rare college graduates in the various police agencies. He had a degree in engineering. Weitzman gave a deposition to the Commission staff in Dallas on April 1 1964 (7H105-9). Under questioning, he described "three distinct shots", with the second and third seeming almost simultaneous. He heard some one say the shots "come from the wall" west of the Depository and "I immediately scaled that wall". He and the police and "Secret Service as well" noticed "numerous kinds of footprints that did not make sense because they were going in different directions". This testimony seems to have been ignored. He also turned a piece of the President's skull over to the Secret Service. He got it after being told by a railroad employee that "he thought he saw somebody throw something through a bush".

Then he went to the sixth floor where he worked with Boone on the search. With Weitzman on the floor looking under the flats of boxes and Boone looking over the top, they found the rifle, "I would say simultaneously ... It was covered with boxes. It was well protected ... I would say eight or nine of us stumbled over that gun a couple of times ... We made a man-tight barricade until the crime lab came up ..." (7H106-7).

When shown three unidentified photographs that seem to be those the police took, Weitzman said of the one with the hidden rifle, "it was more hidden than there" (7H108). If it had not been so securely hidden, he said, "we couldn't help but see it" from the stairway (Ibid).

In addition to his only too graphic testimony about the finding and hiding of the rifle, Weitzman provided information about seemingly meaningful footprints at a place not in conformity with the official theories of the crime and about a strange effort to hide a piece of the President's skull. All this should have been valuable information for the members of the Commission. Why he was not called to appear before the full Commission is a mystery. Boone, who was called, did not have such testimony to offer.

Weitzman's testimony about the care and success with which the rifle was hidden and about the searchers stumbling over it without finding it is important in any time reconstruction. With the almost total absence of fingerprints on a rifle that took and held prints and the absence of prints on the clip and shells that would take prints, this shows the care and time taken by the alleged user of the weapon. That this version is not in the Report can be understood best by comparison with the version that is.

Marrion L. Baker is a Dallas motorcycle policeman who heard the shots and dashed to the building, pushing people out of the way as he ran. He is the policeman who put his pistol in Oswald's stomach in the dramatic lunchroom meeting. The Commission also used him in a time reconstruction intended to show that Oswald could have left the sixth floor and been in the lunchroom in time to qualify as the assassin (3H241-70). The interrogator was Assistant Counsel David W. Belin. As so often happened, despite his understanding of his role as a prosecution witness, Baker interjected information the Commission found inconsistent with its theory. It is ignored in the Report.

The time it would have taken Oswald to get from the sixth-floor window to the lunchroom was clocked twice (3H253-4). Secret Service Agent John Joe Howlett disposed of the rifle during the reconstructions. What he did is described as "putting" it away or, in Belin's words, he "went over to these books and leaned over as if he were putting a rifle there?" Baker agreed to this description. But this is hardly a representation of the manner in which the rifle had been so carefully hidden. With a stopwatch and with the Howlett streamlining, they made two trips. The first one "with normal walking took us a minute and 18 seconds ... And the second time we did it at a fast

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walk which took us a minute and 14 seconds". During this time Oswald had to clean and hide the rifle and go down to the lunchroom and 20 feet inside of it, and a door with an automatic closure had to shut. This was an additional time-consuming factor ignored in the reconstruction and the Report.

On the other hand, the first reconstruction of the time the Commission staff alleged it took Baker was actually done at a walk! In Baker's words, "From the time I got off the motorcycle we walked the first time and we kind of run the second time from the motorcycle on into the building". Once they got into the building, "we did it at kind of a trot, I would say, it wasn't a real fast run, an open run. It was more of a trot, kind of" (3H253).

Walking through a reconstruction was pure fakery and the "kind of run" or "kind of trot" was not much better. Both Baker and Roy Truly, who accompanied him once inside the building, described what would have been expected under the circumstances, a mad dash. They were running so fast that when they came to a swinging office door on the first floor it jammed for a second. In actuality, Baker had sent people careening as he rushed into the building. He had been certain this building was connected with the shooting that he had immediately identified as rifle fire (3H247). The totally invalid walking reconstruction took a minute and 30 seconds. The "kind of trot" one took a minute and 15 seconds.

The reconstruction of Baker's time began at the wrong place, to help the Commission just a little more. To compare with the rifleman's timing, this reconstruction had to begin after the last shot was fired. Witnesses the Report quotes at length describe the leisureliness with which the assassin withdrew his rifle from the window and looked for a moment as though to assure himself of his success. Not allowing for his leisureliness, the assassin still had to fire all three shots before he could leave the window. Commissioner Dulles mistakenly assumed the Commission's reconstruction was faithful to this necessity. He asked Baker, "Will you say what time to what time, from the last shot?"

The nonplused Baker simply repeated, "From the last shot." Belin corrected them both, interjecting, "The first shot" (3H252). Dulles asked, "The first shot?" and was then reassured by Baker, "The first shot". The minimum time of the span of the shots was established by the Commission as 4.8 seconds. Hence, that much as a minimum must be added to the Baker timing. During this time, according to Baker, he had "revved up" his motorcycle and was certainly driving it at something faster than a walk or "kind of a trot".

Added to this impossibility are a number of improbables. Roy Truly was running up the stairs ahead of Baker and saw nothing. He retreated from a position between the second and third floors when he realized Baker was not following him. Neither he nor Baker saw the door closing, as it did, automatically. The door itself had only a tiny window, made smaller by the 45-degree angle at which it was mounted from the lunchroom. Baker saw 20 feet through this, according to his testimony.

Dulles was troubled by this testimony. He asked Baker, "Could I ask you one question ... think carefully." He wanted to know if Oswald's alleged course down from the sixth floor into the lunchroom apparently could have led to nowhere but the lunchroom. Baker's affirmative reply was based upon his opinion that a hallway from which Oswald could also have entered the lunchroom without using the door through which Baker said he saw him was a place where Oswald "had no business" (3H256). This hallway, in fact, leads to the first floor, as Commission Exhibit 497 (17H212) shows. It is the only way Oswald could have gotten into the lunchroom without Truly and Baker seeing the mechanically closed door in motion. It also put Oswald in the only position in which he could have been visible to Baker through the small glass in the door. And Oswald told the police he