



## Assassination Inquiry Committee

vol.2, no. 3 (August 27, 1969)

### AIC BACK IN BUSINESS

Yes, it has been five months since we published our last Newsletter. You know, the one in which we forthrightly proclaimed that we would keep our foot in the door. Well, that door almost closed on us. But we did just manage to keep our big toe in, and now maybe we can open that door just a crack with this issue of the AIC Newsletter.

Although most assassination investigations seem to have ceased, or perhaps gone underground, we do have some items that have come to our attention which we think are of some interest and perhaps some significance. First, in regard to the King murder, we quote below a rather startling announcement by James Earl Ray that he was employed by federal agents to help overthrow Castro and to be the "fall guy" in King's assassination. The parallels are so close to what the Critics have claimed was Oswald's role in the JFK assassination that we might well suspect Ray of having done a little prison reading on the subject. Nevertheless, what he says about it should not be ignored as apparently it has been by such newspapers as the St. Louis Post Dispatch, the Los Angeles Times, and the New York Times. Secondly, on the Robert Kennedy murder, we give you the first half of an article (which first appeared in the L.A. Free Press) by members of the Kennedy Assassination Truth Committee in Los Angeles, suggesting, impossible as it seems, that Sirhan was not the only gunman. Again, we confess to some skepticism, but they have evidence that definitely needs to be examined. Finally, we try to bring you up-to-date on Garrison and Shaw, and we also reproduce a significant portion of testimony from the Shaw trial.

P. S. Nichols

### RAY CLAIMS U.S. AGENTS KILLED KING

St. Louis (AP)-- James Earl Ray says federal agents who recruited him ostensibly to help overthrow Fidel Castro's Cuban regime killed Dr. Martin Luther King Jr. and "used me to be the fall guy."

Ray made the assertion in a statement dictated to his brother Jerry at the Tennessee State Prison in Nashville, where he is serving 99 years as the assassin of the civil rights leader. The statement was read by Jerry Ray in a televised program on station KMOX-TV.

In the statement, the convicted killer said the federal agents employed him during the spring of 1968.

"They told me I was helping them to supply arms and guns to Cuba refugees to overthrow Castro and the Communists in Cuba," Ray declared. "I knew nothing about King being in Memphis until after King had been killed."

(San Diego Evening Tribune, August 15, 1969)

## TEN BULLETS FROM AN EIGHT-SHOT REVOLVER (Part I)

The Sirhan trial is over. The Freudian gladiators have retired from the circus arena. The jurors have deliberated and have found for reality rather than the psychotic myth. At least they found for as much of the reality as they were permitted to see. It is a credit to these jurors that they found Sirhan guilty of murder with premeditation and malice aforethought. It will prove to be the State's shame that Sirhan was allowed to stand alone in his trial.

The Kennedy Assassination Truth Committee has evidence that at least ten bullets were fired from Sirhan's eight-shot revolver. Incredible? Not since Dallas! But, since it is impossible to fire ten bullets from an eight-shot revolver--if more than eight bullets were found there had to be another weapon in action.

John A. Clemente and Lillian Castellano, members of the Kennedy Assassination Truth Committee, have photographic evidence that at least ten bullets were found. Mr. Clemente's son, John R. Clemente, (presently in Europe), accompanied by John M. Shirley, visited the Ambassador Hotel on June 6, 1968. In the pantry area of the Embassy Room kitchen John R. Clemente took a number of photographs.

One photograph shows the center divider of the two padded swinging doors through which Mr. Kennedy and his party had entered the service area after his speech. In the facing of the divider are two bullet holes, circled and marked by the police with numbers and letters. John Shirley stated the holes were located between waist-high and eye level and he is six feet tall.

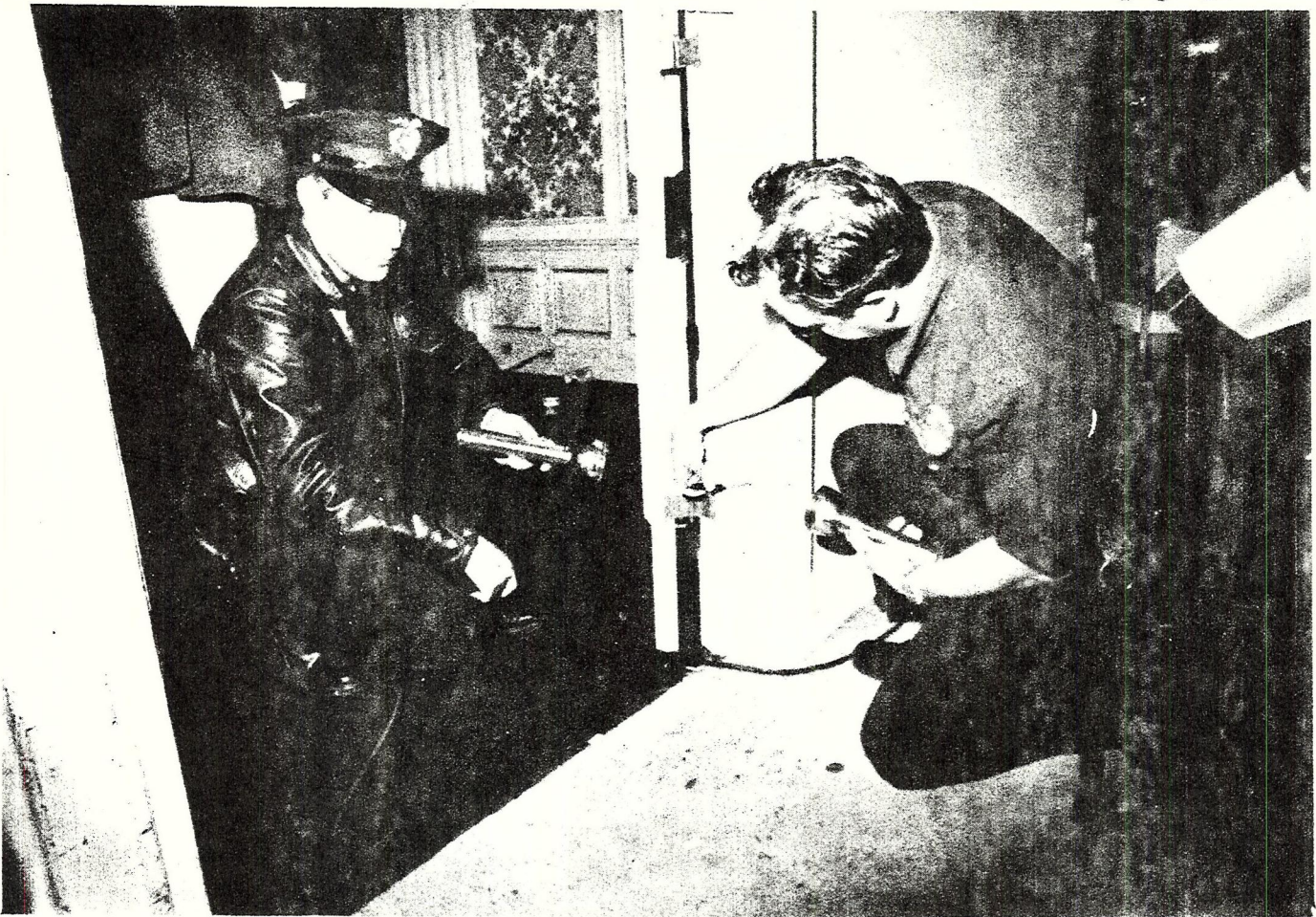
In another picture, a wire service photo found by Lillian Castellano, a police technician is stated to be inspecting a bullet hole discovered in the lower portion of the west doorframe of the door opening off the back of the stage into the corridor leading to the pantry. The caption states that the bullet is still in the wood.

Between the stage door and the pantry doors there is a short ramp which elevates the corridor floor level by approximately eighteen inches. The position of the two bullets in the center divider of the pantry doors and the one bullet in the stage door frame form a line-of-sight pattern on a vertical plane of from six to eight inches in diameter.

A member of the Kennedy Assassination Truth Committee told us he had spoken with Assistant District Attorney John R. Howard about the bullets evidenced by the Clemente and wire service photographs. Mr. Howard told him there were no other bullets involved. The member insisted that we have a photo showing police markings circled around two bullet holes and another photo with a caption which states there is a bullet still in the wood. Mr. Howard shrugged it off. He stated these were not bullet holes but dents caused by kitchen carts. He said the police had circled every hole in the pantry as a matter of course.

John Shirley, when questioned on this point, said that the only circled holes that he and John R. Clemente had seen in the pantry were the ones in the photograph. In his original signed statement of authentication for the photograph, Mr. Shirley said, "I remember a manager pointing out these particular marked bullet holes to another person, who appeared to be a press photographer . . . . It appeared that an attempt had been made to dig the bullets out from the surface. However, the center divider jamb was loose and it appeared to have been removed from the framework so that the bullets might be extracted from behind. It was then replaced but not firmly affixed." Mr. Shirley said further, "It also appeared to me that there was evidence that another bullet had hit one of the padded swinging doors."

Bob Ferris, a reporter for CBS Radio KNX at the time of the assassination, broadcast a description of his walk through the Ambassador's Embassy Room pantry area on Saturday, June 8, 1968. In that broadcast, he had dis-



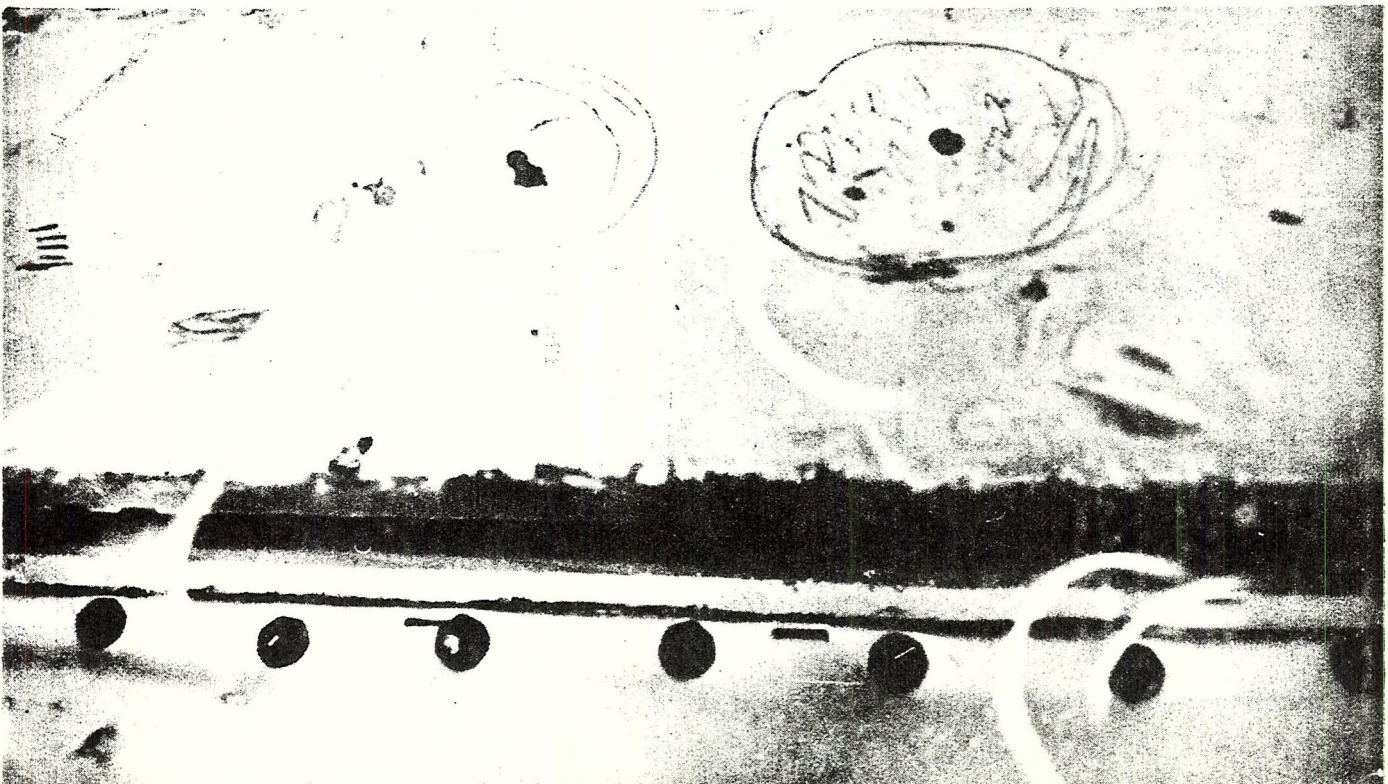
*Stage Door*

(LA 27) Los Angeles June 3, 1968

PHOTO TAKEN NEAR KENNEDY SHOOTING SCENE

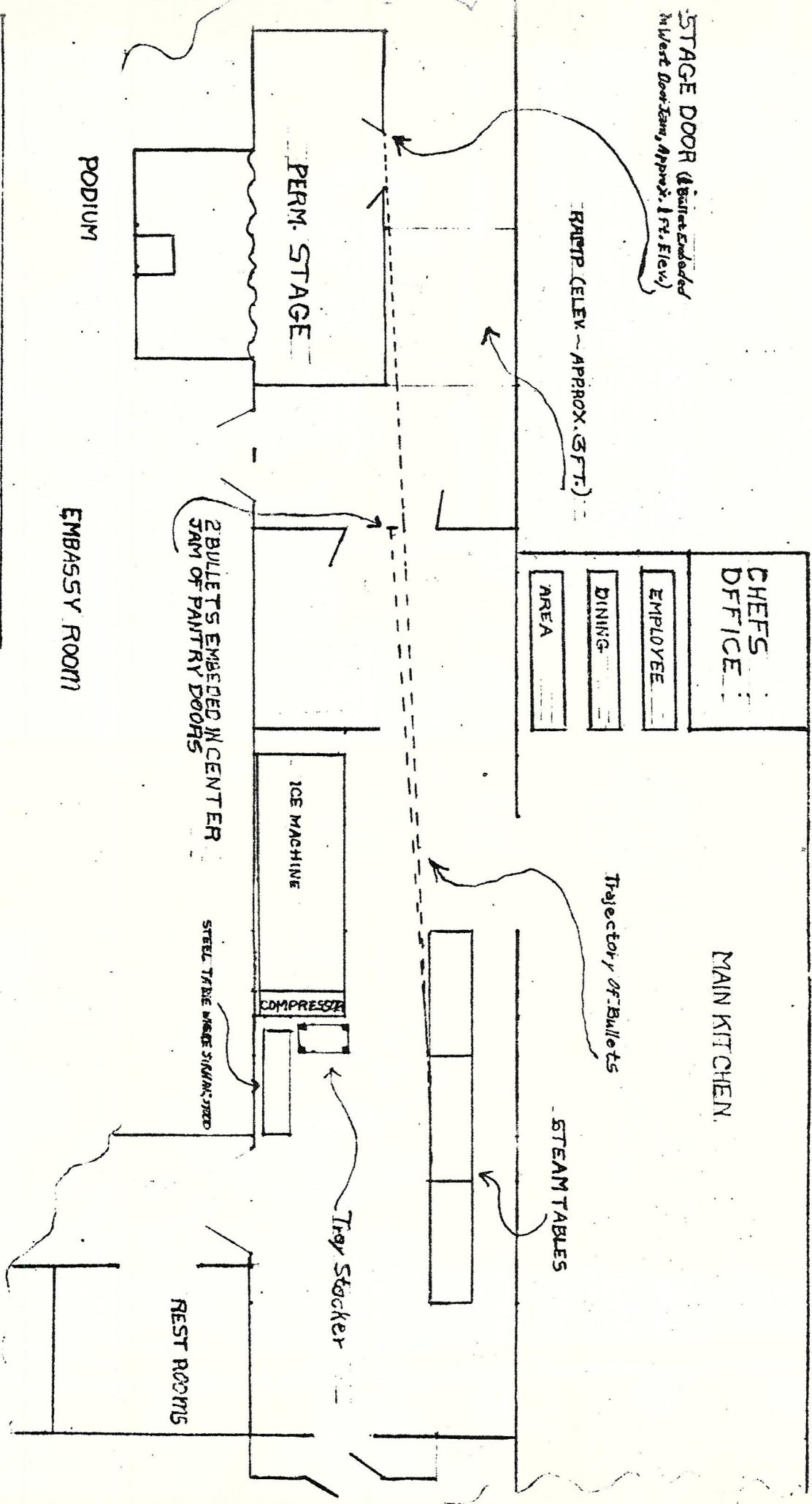
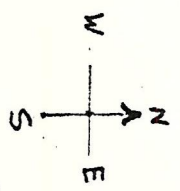
A police technician inspects a bullet hole discovered in a door frame in a kitchen corridor of the Ambassador Hotel in Los Angeles near where Sen. Robert F. Kennedy was shot and critically wounded early today. Bullet is still in the wood.

(rfs#0745sif) 1968



*Pantry Door Divider*

*15-P*



Scene Of Murder Of Robert F. Kennedy ~ scale: 3/8 inch to 1 foot  
KENNEDY ASSASSINATION TRUTH COMMITTEE  
PO BOX 38524, L.A., CA 90038 ~ 4/29/69 #3

cussed the bullet holes he saw there. Mr. Ferris, when interviewed and questioned, said that the only circled bullet holes were the ones in the center divider but he had seen three other holes which appeared to him to be bullet holes, which had not been circled by the police. He said he is a pistol enthusiast--does target practice on a pistol range and is quite familiar with the signs which indicate bullet impact. He also stated that there was no padding on the pantry doors on Saturday, June 8, 1968.

Therefore, it would seem that Mr. Howard's story--that all the holes in the pantry were circled as a matter of course--will not check out. It also appears evident that the padding on the doors was removed between Thursday morning, June 6, and Saturday morning, June 8, 1968.

The police may have found fragments elsewhere in the pantry area but we do not believe the three bullet holes can be written off as fragments. An impact pattern of small diameter and in a straight line from the point of origin does not indicate deflection to us. The line of sight from the positions indicated by the pictures--when projected into the pantry--triangulates almost exactly on the point where Sirhan was positioned by witnesses. Since all the eight bullets Sirhan fired were accounted for except the one which the police claim was lost, we must consider the possibility that the three bullets in the photos are bullets the police have not cared to discuss.

To know there are too many bullets, one only has to count them. Just count the actual bullets--in the places where they were found--not the wounds, nor the bullet holes in the clothing. Just the bullets.

ONE recovered (in fragments) from Kennedy's head. (Good Samaritan)

ONE recovered from the back of Kennedy's neck. (Good Samaritan)

ONE recovered (in fragments) from Paul Schrade's head. (Kaiser)

ONE recovered (in pieces) from Elizabeth Evan's forehead. (Huntington)

ONE recovered from left side of abdomen of William Weisel. (Kaiser)

ONE recovered from left thigh of Ira Goldstein. (Encino)

ONE recovered from lower ~~xx~~ left leg of Irwin Stroll. (Midway)

TWO recovered from center divider, pantry doors. (Clemente photograph)

ONE recovered from doorframe of door back of stage. (Wire Service photo)

TEN BULLETS from an eight-shot revolver.

Remember, the police have all recovered bullets in their possession. They can spread them out on a table and count them. This means that the police have not told us the truth--the District Attorney has not told us the truth--the news media have not reported the truth--and Dr. Noguchi is being discredited and destroyed. /Ed. note: Noguchi has, of course, been cleared since this article was written; for more about his relation to the RFK autopsy, see part two of this article./ because he tried to tell us the truth. It is a very frightening thought. What can we do? Where can we go with this information? Who is in charge? Who is responsible to the people?

Floyd B. Nelson & Lillian Castellano  
(Remainder of article will appear in next Newsletter.)

## JIM GARRISON: CHARGE AND COUNTER CHARGE

No trial date has been set for Clay Shaw on the perjury charge, but the case is still pending along with Garrison's case against Thomas Bethell, his former aid who allegedly revealed some of the state's files to Shaw's attorneys just before the trial last February. Shaw's attorneys have been attempting this summer to get the perjury charge dismissed by the federal courts, but thus far they have been unsuccessful.

One interesting charge against Garrison was that made by none other than attorney Dean A. Andrews. Andrews charged Garrison with committing perjury while testifying in Andrews' own trial for perjury two years ago. An assistant DA, attorney Robert J. Zibilich, examined and dismissed Andrews' affidavit on August 1st.

In Garrison's bribery case against NBC investigator Walter Sheridan and television newsman Richard Townley, a federal appeals court has reversed a lower court decision and announced that a hearing will be held to determine if the charges should be dismissed (Times-Picayune, Aug. 15).

Another thing Garrison has been involved with this summer is a bribery charge that others have made against his number one assistant D.A., Charles R. Ward. Apparently because of this bribery charge, Garrison decided not to nominate Ward for a New Orleans judgeship even though, according to Ward, he knew the charge to be false. (The man from the D.A. office who was nominated for the judgeship is Alvin V. Oser, who so ably examined the assassination witnesses and experts in the Shaw trial.) As a result Ward announced to the press on June 17th that he was resigning and that, furthermore, he will run against Garrison when the latter is up for re-election this November.

According to New Orleans States-Item reporter Jack Dempsey (June 17, 1969), Ward did not participate in Garrison's conspiracy investigation of Clay Shaw and "told close associates that he could not in 'good faith' take part in an investigation and trial in which he did not believe." Because Ward's statement to the press sheds some interesting light on Jim Garrison, particularly in regard to his stand on various issues of the day, we reproduce it here in full:

"Today I have submitted my resignation to Jim Garrison. I am resigning the office of chief assistant district attorney to campaign for the office of district attorney. There are many reasons for my decision.

"First, I am better qualified to be district attorney than Jim Garrison or any other person in this city. I have run the office for the past six years while Garrison has investigated and tried only one case--Clay Shaw--which he lost. Garrison's record during the past eight years is won none, lost one.

"Secondly, I have recently had very serious policy disagreements with Garrison. We have violently disagreed on several of his recent decisions.

"He has informed me that he will not enforce any obscenity legislation including the recent acts of the legislature. I am for strong law enforcement of those laws against pornography and smut which have been flooding this city.

"Also, Garrison recently overruled my decision to arrest students at Southern University for interfering with the police in resisting arrest. After I advised the police to make arrests of all persons involved in the riot, Garrison met with representatives of the black militants and capitulated to their demands and agreed to charge only six of the 26 persons arrested. He has further promised these six they would never spend one day in jail. I am against capitulation which I feel will only bring anarchy.

"Garrison also recently overruled my orders to arrest members of the Students for a Democratic Society (SDS) for the demonstrations at Fortier High School. He has expressed sympathy for their revolt against the establishment and has recently said, 'No university is being burned which should

not be burned.' These are just a few of the many major disagreements we have had.

"Ordinarily I would hesitate to run for any office currently sought by my employer because of my feeling of loyalty. This loyalty may indeed be a fault; but I believe if you work for a man you should be loyal to him. But Garrison has not been loyal to me or other members of his staff. He has not backed me when I needed his support, and loyalty is not a one-way street.

"Recently an officer of a bail bonding company accused me of accepting bribes. I am now making public these depositions which were secured by Garrison's former law partners, Deutsch, Kerrigan and Stiles. These affidavits made by . . . William Hardy Davis, who has been charged in Criminal Court, are demonstrably and obviously false. Garrison has told me he knows they are false. Yet, based on this alone, Garrison has withdrawn my nomination for judge of the Criminal District Court--not because he believes the accusations but because he feels they are embarrassing to him in his campaign for re-election.

"I feel that a man who does not back his employes when they need support is no longer entitled to my support or loyalty. For this reason I have no hesitation about qualifying against him and seeking the office of district attorney." (New Orleans States-Item, June 17, 1969)

#### CLAY SHAW: THE TRAGIC HERO?

As might be expected, we are now getting a spate of articles about Shaw and interviews with Shaw. Two that I want to mention here are an article that appears in Look (Aug. 26), "The Persecution of Clay Shaw" by Warren Rogers, and an interview with Shaw in Playboy's new rival, Penthouse (September, 1969), by Jim Phelan.

Warren Rogers, who is described as being the Chief of Look's Washington Bureau, apparently has acquired his expertise in the case by virtue of his being a native of New Orleans. As the title of his piece rather bluntly makes clear, Rogers is quite sympathetic to Shaw and hostile to Garrison. Shaw emerges as the tragic hero, as can be seen at a glance in the sad but noble features of the Look photograph; Garrison, by contrast, is shown to be both insane and in chaoots with the Mafia. Regarding the former attribute of Garrison, Rogers quotes Shaw, who, we are told, spoke "without rancor about his ordeal" (p. 53), as follows:

"Personally, I think he's Garrison's quite ill, mentally . . . . He was, as you know, discharged from the Army after a diagnosis of 'anxiety' and told to take psychotherapy. I know he has been to a number of analysts. I think, basically, he is getting worse all the time. I think there is a division of his mind. with one half of his mind, he is able to go out and fabricate evidence, and then by some osmosis, he is able to convince the other half that the fabrication is the truth. and then, I think, he believes it implicitly." (p. 54)

After passing on this expert and unbiased psychoanalysis, Rogers then dredges up once again the news about Garrison's Army discharge of 17 years ago: "Doctors at Brooke Army Hospital in Texas found he was suffering from a chronic, moderate anxiety reaction, manifested by chronic hypochondriasis, exhaustion syndrome, gastrointestinal discomfort and a strange allergy to lint, especially wool lint. He also was found to have a mother dependency" (p. 54). If you break all of this jargon down, it sounds to me like Garrison was tired and upset (and loved his mother).

As for Garrison's Mafia connections, it is purely a case of guilt by association. If I understand Rogers' line of reasoning, the links go some-

thing like this: (1) David Ferrie had "stfong ties" with Carlos Marcello, who heads the local Mafia; (2) Marcello was involved in a motel enterprise with Frank Occhipinti; (3) Occhipinti's brothers have a law firm with Peter J. Casano; (4) Casano sold Garrison his "spacious, handsomely furnished, upper-middle-class home"; and (5)--the clincher--this house was built by none other than the aforementioned Frank Occhipinti, who is a contractor and--hold your hats--lives in the house right next door! All this from a writer who earlier has this to say about Garrison: "Like the late Sen. Joseph McCarthy, who believed in guilt by association, Garrison sought to demonstrate that anybody who lived or worked near somebody must have associated with him" (p.55). To make certain that we don't miss the associations, Look has conveniently provided us with a picture of Occhipinti alongside a picture of the two infamous houses with the following caption: "Garrison insists there is no mob in New Orleans. But he lives in this handsome white house built by Frank Occhipinti (above), a front for and partner of Carlos Marcello, the local boss of the Mafia. The Da got it for a bargain \$65,000. Occhipinti lives in the old-brick house next door" (p. 54). Since Rogers works mainly through innuendo, Garrison's role in relation to the Mafia and the assassination of President Kennedy is not made clear, but I think we can safely infer that (1) Kennedy might have been killed by the Mafia--why? well, because among other things they're better organized than the Cuban refugees (no mention of the CIA)--and (2) Garrison didn't investigate the Mafia because he is friendly to them.

In contrast to Warren Rogers' ad hominem attack, Jim Phelan's Penthouse interview with Shaw is rather mild. Phelan, of course, is biased, having written an anti-Garrison article for the Saturday Evening Post and having appeared as a witness for the defense in Shaw's trial, but the intent of his interview appears to be not to malign Garrison so much as to make Shaw sympathetic. Although many of Shaw's points about the case are questionable, others, at least on the surface, are plausible. For the record, as well as for your own evaluation, I quote here Shaw's denial of any connection with the CIA:

Penthouse: In his public utterances, Garrison repeatedly declared that the CIA had a major role in the Kennedy assassination. In this connection, the Rome newspaper Paesa Sara published a long story alleging that you were connected with an "international commercial organization" named Centro Mondiale Commerciale, which Paesa Sara termed "a CIA front." What is your explanation?

Shaw: Back in 1959 or 1960, a young Italian came to see me in New Orleans and told me about a world trade center that was being planned in Rome. The idea was to have one place where buyers coming into the Common Market area would find all the Common Market countries represented in one center. He wanted my advice and asked me to serve on the board of directors. I had no objection if it was a legitimate project. I investigated it and found that the head of it was a man named Imre Nagy, who had been the last non-communist premier of Hungary. Some of the other people involved were Italian senators, journalists, lawyers, and other responsible people. It was agreed that we would have an exhibit at their center, and they would have one at the mart here in New Orleans, and we would exchange information and so on. I didn't mind being on their board, although there was no money involved, but I would have to go to Rome annually for the board meetings and my way would be paid, so why not? Then they ran into difficulties, but they finally got the center opened. It turned out to be either badly planned or badly organized and it closed very shortly, and that was the last I ever heard of it. I never heard that it was a CIA operation and I don't know that it was. I'll say this--it was a highly unsuccessful operation which is not customary with the CIA. Other than what I've told you, I know nothing more about the Centro



Mendale Commerciale. I have never had any connection with the CIA. (pp. 34-36)

Those of us who have been supporting Garrison's investigation for so long must now try to be fair and remind ourselves that Shaw is legally innocent of conspiring to kill President Kennedy. If history shall show that he is also innocent in fact, then he truly is a maligned man, but I think we need to withhold our judgment on that. In the meantime let me make two points: (1) As the very existence of these articles and interviews attests, Shaw is not a ruined man. In fact he remarks in the Phelan interview that the ordeal has brought him many new friends, and he reveals, moreover, that he is now writing a book about his case. (2) Garrison has undoubtedly been much more maligned than Shaw, in the New Orleans press and in the media as a whole, and no court has declared him legally innocent of all the malicious charges made against him before and after the trial.

P. S. Nichols

FROM THE PROCEEDINGS OF THE SHAW TRIAL; PART I: DEALEY PLAZA WITNESSES  
James L. Simmons (Sat., Feb. 15, 1969)

The first witness called after the trial was resumed at 9:15 a. m. was James L. Simmons of Mesquite, Tex., who was atop the triple underpass when the presidential motorcade passed through Dealey Plaza.

At the time, Simmons said, he was employed by the Union Terminal Railway Co., and he is now employed by the U.S. Post Office.

He said there were "10 or 11 of us" standing on top the underpass, and he was asked to point out his position on the three exhibits.

Simmons said he first saw the motorcade as it came down Main and turned onto Houston by the "old courthouse," and he watched it after "it just turned the corner by the school book depository."

Oser asked Simmons if he heard any unusual noises. "I heard three loud reports that I presumed to be shots," and he said the motorcade was about one-third or one-half the distance between the book depository and the underpass when he heard them.

"Did you have a clear, unobstructed view?"

"Yes, sir," the witness answered.

Oser asked if he observed the President's reaction to the first shot. Simmons said he did not remember but "between the first and second shots, or thereabouts, he turned to his left and threw his hands up."

Oser asked about the reaction to the third shot.

"Well, he fell; and there was matter and a halo of blood. He fell to his left."

### **'Limousine Paused, Then Accelerated'**

Simmons said that, after the third shot, the limousine paused, then accelerated; and

he was able to watch from above as it passed beneath the underpass.

Oser then questioned him about the halo. He said he saw the halo over the President's head, and the matter he saw passed to the left side of his head "and over the side of the car."

Oser asked if at the time of the second and third shots he noticed any unusual activity in the area of the grassy knoll, which was to Simmons's left.

He said that underneath one of the trees near the wooden fence he "detected a puff or whisp of smoke."

"After hearing and seeing what you did, what did you do?"

"I went around the rail and walked behind the fence."

Oser asked if he saw anything unusual.

Simmons said he was one of the first persons to arrive; and when he got there, he observed several footprints "back and forth" along the fence. He said it had rained earlier, and the ground was muddy.

He said what drew his attention was that there were "so many of them."

He said he also saw footprints on the wooden brace or railing along the base of the fence.

Oser asked Simmons if he saw anything else that might have indicated a shot, and the witness said "it looked as though one might have hit the pavement."

Oser asked Simmons to point out where this happened; but Dymond objected, asserting the witness admitted he was not certain it was a gun shot.

### **Simmons Points Out Street Curb Section**

Judge Haggerty told Oser to rephrase the question, and Simmons was able to point out a section of street curb in the area where he saw the effects of what he thought was a bullet.

Oser then tendered him to the defense for cross-examination.

Dymond asked Simmons how long after the last shot he went to the area behind the grassy knoll fence. He said he went there "immediately" and was there for several minutes.

"I'd say 15 or 20 minutes" Simmons told Dymond after the defense attorney asked him for an estimate of the time he was behind the fence.

"Did you see any arrests made when you were back there?"

"No Sir, I don't recall,"

Simmons then said the area behind the fence was a parking lot, and the area "was pretty well filled with cars."

Dymond then asked the witness if he knew Roger D. Craig, a former Dallas County deputy sheriff. Simmons said he did not think he did. Dymond then asked that, if Craig was in the courtroom, he stand so the witness could see him.

Craig was in the courtroom, and he stood up and walked toward the witness.

"Did you see that gentleman behind the fence?" asked Dymond.

"There were so many people back there that I can't remember."

"Did you see him or anyone arrest a woman?"

"No, sir."

"Did you see anyone detained?"

"No, sir."

Craig was called as a state witness Thursday. He said

that, after the assassination, he rushed to the area behind the fence and he detained one woman and turned her over to Dallas police. Craig later testified that a man, whom he says he later identified as Oswald, ran away from the Texas School Book Depository and got into a station wagon driven by a muscular Spanish-looking man.

Dymond questioned Simmons about the halo he saw. Simmons said "it looked like the top of his head blew off," and it "seemed to go out the left side of the car."

"The halo?"

"The matter," replied Simmons.

"Was the halo in front of the President?"

"It seemed to be over his head."

"Then, from your position, you couldn't tell whether it was in front or behind?"

"I guess I couldn't."

### **Question Is Asked About Footprints**

Returning to the area behind the fence, Dymond asked why, in view that it had been a rainy day, there was anything unusual about the footprints.

Simmons explained that there is a steam line running along the fence, but a short distance from it, "and very few people have occasion to cross it."

Dymond asked if the footprints could have been caused by persons who might have watched the parade from behind the fence, and Simmons said they could have been.

Dymond asked Simmons if he had seen Abraham Zapuder taking movie pictures of the motorcade.

"There were people all over taking pictures, but I never saw

him that I know of."

Regarding the possibility of a bullet hitting the curb, Simmons told Dymond that, after he heard the first shot, he was scanning the area "to see if I could see where the shot came from"; and while he was doing this, he noticed something that looked like dust particles flying from the curb.

"Did you check the curb later?"

"No, sir."

Simmons said the shots came from in front and to the left of his position on the triple underpass, which includes the grassy knoll area.

"The Texas School Book Depository is in that direction also, isn't it?" asked Dymond.

"It is."

Dymond asked Simmons if anyone atop the triple underpass had a gun. He said he saw two policemen there with guns, but he said no shots were fired from that position.

Simmons said he was not called as a witness by the Warren Commission. He said he was interviewed by the FBI.

#### Mrs. Newman

Mrs. Newman was the second state witness called Saturday morning. She testified that she and her husband and their two children were in Dealey Plaza Nov. 22, 1963.

Earlier that day, she told Alford, they went to Love Field (the Dallas airport) to catch a glimpse of Kennedy, but they were unsuccessful.

She was then asked to point out her location on the three exhibits, which the state has been using in questioning persons who were in Dealey Plaza. These exhibits include a mock-up of Dealey Plaza, an enlarged aerial photograph and a survey plat.

She pointed and identified her location as about midway down Elm st. and marked a position in the sidewalk in front of the grassy knoll area.

She said that she was first unable to see the motorcade as it turned left from Houston onto Elm and began approaching her position. She said she was able to watch it until it passed under the triple underpass.

As Alford continued his questioning, this is the way her story unfolded:

She heard three shots, which at first she thought were firecrackers. The first and second noises were "close" to-

gether and the third came after a delay, although she said she could not say how much time elapsed between the second and third noises.

She was looking at President Kennedy when she heard the first shot, and he "threw up his hands and sort of turned his head." At this time, Gov. Connally "seemed to sort of turn a little."

When she heard the second shot, Mrs. Newman saw Gov. Connally clutch his stomach. "His eyes got real big, and he sort of slumped."

Several seconds passed before she heard the third shot (on direct questioning she said 10 to 12 seconds elapsed, but under cross-examination admitted this was only an estimate and not a fact) and at that time the presidential motorcade was directly in front of her and about one car lane away.

The President was even with Mrs. Newman and she had an unobstructed view with about 10 feet separating her and the President.

#### Witness Says JFK Was Shot Above Ear

Alford asked her to describe what she saw.

"He was shot at the ear or above," she said, indicating the right ear. Questioned about the effect of the shot, she said, "His head just seemed to explode, and he fell to the side."

She then explained that she had one of the children, and her husband had one; "and we both got down on the ground and covered the children because we thought we were in a crossfire."

Dymond objected to the witness' use of the phrase "we thought we were in a crossfire"; but Judge Haggerty, after some discussion, overruled the objection.

Alford then asked her where she thought the third shot came from. "It sounded like it was coming directly from behind us."

Next, Alford asked Mrs.

Newman to identify herself in two photographs which showed the presidential motorcade on Elm st.

"Did you have occasion to testify before the Warren Commission?" asked Alford.

"No, sir, I did not," she replied.

Alford said he had no more

questions, and Dymond began his cross examination by asking the witness if she gave a statement to the FBI.

"The only statement I gave," she answered, "was to a sheriff's deputy." She explained she went to the sheriff's office and gave an oral statement which was then typed; and after she read it, she signed it.

Dymond asked when she and her husband first learned that the President would visit Dallas.

"Probably about a week in advance," she said.

"You say you heard one noise that sounded like a firecracker, didn't you?"

"No," she answered. "I heard three noises that sounded like firecrackers."

"You heard one noise, and then you heard two close together."

"No. I said I heard two close together and then one."

Dymond then asked Mrs. Newman to slap against the side of the bench to indicate how the shot sounded to her. She hit the bench twice in rapid succession and then after a few seconds' delay hit the bench again.

Dymond asked her to describe what she saw when the President was hit. She said his head appeared to explode and fragments of brain matter appeared. She insisted he was hit above the ear, "not behind it."

#### Mrs. Newman Did Not Observe Red Halo

"Some witnesses have described that after the explosion they observed a red halo over his head. Did you observe this?"

"No, sir, I didn't."

Dymond asked if she observed "blood or other matter."

She said that when the President was hit "the bits flew up, and there was white matter and then blood. As well as I remember it just flew straight up."

#### Mr. Newman (Mon., Feb. 17)

Newman had been the first witness called. His wife had testified for the state on Saturday.

He said that on Nov. 22, 1963, he and his wife and their two sons were in Dealey Plaza when Kennedy was assassinated.

He said they were standing "in Dealey Plaza half-way between Houston st. and the triple underpass on the north side of

Elm st. They had arrived about 15 minutes before the motorcade passed, he said.

#### Location Marked on Survey Plat

Newman then marked his location on a survey plat and also placed a small figure representing himself on the mock-up of Dealey Plaza the state had been using.

Apparently Newman knocked over the small figure representing his wife, and Garrison quipped: "Pick up your wife."

He also identified himself in two photographs.

Garrison then asked if he saw anything unusual in Dealey Plaza.

"I saw the President of the United States shot and killed," Newman said.

Questioned further, Newman said he heard three shots, two in rapid succession and then the third, and he added he has often thought he may have heard a fourth shot, but he is certain of only three.

He told the court that from the sound he thought the shots were "coming directly behind from where I was standing." He was standing in front of the grassy knoll area.

In explaining where he thought the shots came from, Newman added: "Apparently everybody did because they ran in that direction."

Dymond objected to hearsay and his objection was sustained.

Garrison asked for more detail and Newman said that as the presidential limousine approached he heard two shots and he indicated two shots in rapid succession.

He said he saw President Kennedy throw his hands up. He said Gov. Connally appeared to be turning in his seat, which was directly in front of Kennedy. As the car approached Newman, he said he saw blood on Connally's shirt. President Kennedy, he continued, was sitting upright, and he appeared as though he was looking in the crowd for someone or something. Newman indicated that his head was turned slightly to the right.

#### Heard Third Shot, Witness Testifies

When the President was directly in front of the Newman

family, one car lane away, the witness said he heard a third shot and saw the President hit above the right ear. He said he saw the ear come off and observed a white mass above the head which changed to blood red. He said the President became "stiff like a board and fell left to his wife's lap." Newman said he then told his wife to get on the ground and cover the children because he was certain the shots were coming from behind them. He said that once on the ground he looked up again and saw Mrs. Kennedy up on the back of the limousine.

He said he did not know if the President's head moved forward or backward, but he emphasized he saw the president's body move "real hard to the left into her (Mrs. Kennedy's) lap. He went away from me."

Newman said he gave a statement to the FBI and to the Dallas County sheriff's office, but, in answer to Garrison's question, added he was never called as a witness before the Warren Commission.

Garrison tendered the witness.

Dymond asked Newman how far to the right the President had turned his head, and he answered that it was turned "slightly."

Dymond asked if it would be approximately accurate to say he had turned his head half-way to the right just as the third shot was fired.

Newman said this could be, "but I don't think so."

Dymond asked Newman if the President's head was turned to the right would it have been possible for a gunman in the grassy knoll area to have fired a shot, hitting the President where Newman described. Alcock objected, saying the question was asking the witness to render an opinion.

Dymond rephrased the question, and Alcock again objected on the grounds that the question was too broad.

Dymond then said, "We'll take anyplace on the grassy knoll area," for Newman to speculate on whether a gunman could have hit Kennedy above the ear.

Newman asked to look at the mock-up, and said it was his opinion the President could have been shot from there, but point-

ed out the grassy knoll area is quite large. Dymond asked if in view of the angle of the President's head, he could have been shot from the Texas School

Book Depository, but Newman then said his recollection was that the President was looking "more straight ahead than at an angle when he was hit."

Dymond then reminded Newman he had said the President's head was turned slightly to the right.

Newman said he was trying to explain that it was his impression that the President's head was turned slightly to the right after the first two shots, as though he was looking for someone or something in the crowd, but that he thought his head was "more straight" when the third shot was fired.

Dymond then asked if it was not so that Newman did not recall enough to be precise about the point.

"I don't know the exact position," Newman replied.

Dymond said he had no further questions.

Richard Carr  
(Wed., Feb. 19)

Richard Carr, sitting in a wheel chair, was the last state witness called during the morning. He remained in his wheelchair on the floor in front of the jury and between the state and defense attorneys.

He said that the day of the assassination he was on the floor of the new courthouse in Dallas at Houston and Commerce sts., facing Dealey Plaza.

He testified that, as the parade was going towards the Texas School Book Depository, he noticed a man in a 5th floor window, wearing a light hat. He said he saw him later "turning toward town on Commerce."

Carr said he heard a single shot, and then after a slight pause, three rifle shots fired from a high-powered rifle.

The defense objected, and the state then attempted to qualify Carr as an expert on the sounds of shots.

Garrison brought out Carr's wartime record, and Judge Haggerty said he would permit the witness to testify that he heard rifle shots.

Garrison asked him to continue with his story.

Carr said that the man he saw in the fifth floor window was wearing a felt hat, heavy rim glasses with heavy ear pieces, a tie, white shirt and tan sport coat.

He said the first shot he heard sounded like small arm fire, and then he heard three shots in succession. Garrison asked if he could tell where they sounded as though they were coming from, and Carr indicated the grassy knoll.

Garrison asked if after he heard the shots he noticed any unusual movements.

### Three Men Were Seen Getting Into Automobile

Carr said he was able to observe three men coming from the area of the book depository building and getting in a Rambler station wagon. The vehicle he said was parked on the wrong side of a one-way street. One of the three men appeared to be a Latin, and Carr later explained he could not tell if the men came from the building or from behind it.

The three entered the car and it took off almost immediately. The fourth man, he continued, came across the street on Houston and appeared to be in a "very big hurry" turning frequently to look over his shoulder "as though he was being followed."

Carr said he gave this statement to the FBI, and the district attorney what he did as a result of his conversation with the FBI.

"I done as I was instructed,"

he answered. "I shut my mouth." He told Garrison he was never called before the Warren Commission.

On cross-examination, Carr told Dymond it was about an hour and 15 minutes after the assassination before he knew what had happened. He said he was aware after it happened "that something was wrong, but I didn't know what."

"I heard gunshots," he said to Dymond. "I didn't think, I knew."

Dymond asked if he had drawn any conclusions from this.

"I had conclusions, yes, I did. I concluded that someone was shot or shot at."

Carr also said he detected the presidential limousine "gather-

ing speed and moving on" and this he considered "very unusual."

### Attention Drawn to Dealey Plaza

He said his attention was first drawn to the commotion in Dealey Plaza "and the people running to the area that I identified."

Regarding the men leaving the book depository building area, Carr said he couldn't tell whether they were leaving from a side entrance or from an entrance behind the building.

He said there was not too much traffic on Elm st. at the time of the shooting because the police had blocked it off to traffic for the motorcade.

Carr said that as he watched the commotion down below his vantage point, he saw the three men running for the car and a fourth man running also.

Carr also claimed that upon hearing the three successive shots he saw one hit the grass, but he said he did not examine the area later.

(Ed. note: All of the above is reproduced from the New Orleans Times-Picayune. Other key segments of the trial will be reprinted in future editions of the Newsletter. We expect to include the testimony of Dr. Nichols and Dr. Finck as well as some of the proceedings that relate more directly to Shaw and "Clay Bertrand." We do this in lieu of reproducing the entire trial (as we once promised in a rash moment).)

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The AIC has been in a state of flux of late. If some of you have sent us checks and wondered why it took us so long to cash them, that is the reason. For a while we didn't know whether we would fold up shop or keep on, and didn't want to take your money if we weren't going to need it. If we never thanked you for your contribution, we apologize. We also apologize to all of you who wrote letters and received no reply. And we apologize to those of you who wrote asking for transcripts of the Shaw trial, for it didn't take us long to discover that the work involved in such an undertaking was beyond our meager capabilities and so we would not be able to honor your requests. Also, if some of you have written asking for back issues of the Newsletter and have not received them, please try us again, letting us know the volume and number of the first one you received.

Thanks to all of you for bearing with us. And special thanks to one of our own members, George Abbott, for being AIC's guiding genius during its first, crucial year of operation.

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