

COMPLETE SET OF CORRECTIONS,

ADDITIONS, AND UP-DATING

REVISIONS FOR ACCESSORIES AFTER THE FACT

(Prepared May 1968 for Grove)

23 November 1968

From Meagher to Ockene

Subject: Additional Revisions, ACCESSORIES AFTER THE FACT

Please revise the footnote on page 255 as follows:

2 Commission Counsel David Belin reenacted the walk, stopwatch in hand, in 17 minutes, 45 seconds. (6H 434) If we add the 29-to-30½ minutes required for Oswald's trip from the Book Depository to his rooming house, which the FBI determined was the time consumed (Commission Document No. 1218, page 6, National Archives), and allow 3 minutes for Oswald to change his clothes in his room, there is a total of 50 minutes. Since Oswald left the Book Depository at 12:33 p.m., he would have arrived at the Tippit scene at least 8 minutes after Tippit was shot.

Please revise the third paragraph on page 191 as follows:

Clements' report cannot in itself be sufficient to override the massive contrary evidence—especially when the FBI's inventory of the contents of Oswald's wallet (Commission Document No. 1554, FBI Exhibit No. B1, National Archives) does not include the Hidell card, although it otherwise corresponds exactly with Clements' itemization. (WR 614-617) Nor should we overlook Clements' strange and ambiguous role in the investigation of another matter involving Oswald which came to light on Saturday, as discussed in Chapter 21.

Addition to ACCESSORIES

Please insert the following at the end of the footnote on page 255:

If we add the estimate of 29 to 30½ minutes determined by the FBI as the time required for Oswald's trip from the Book Depository to his rooming house in the conditions that prevailed (Commission Document No. 1218, page 6, National Archives), and allow 3 minutes for Oswald to change his clothing while in his room, there is a total span of 50 minutes consumed. Since Oswald is said to have left the Book Depository at 12:33 p.m., he would have arrived at the Tippit scene at 1:23 p.m. or at least 8 minutes ~~after Tippit was shot.~~ ~~shot. Tippit.~~

Please revise the third paragraph on page 191 as follows:

Clements' report cannot in itself be sufficient to override the massive contrary evidence---especially when the FBI's inventory of the contents of Oswald's wallet lists each item listed by Clements in his report (WR 614-617) except the Hidell card (Commission Document No. 1554, FBI Exhibit No. B1, National Archives). Nor should one overlook Clements' strange and ambiguous role, discussed in Chapter 21, in the investigation of another matter involving Oswald which came to light on Saturday.

Up-Dating Changes,
Accessories After The Fact

Addendum 5/30/68 Meagher

Page 173

Paragraph 5: Insert a new footnote at the end of the second sentence, which reads, "Frazier testified that the bullet was clean and had no blood or tissue on it." The footnote follows:

*A U.S. Marine was acquitted of murdering a Vietnamese civilian by a general court-martial board, in June 1967, although the prosecution presented an expended bullet found near the victim which matched the rifle held by the accused at the time of the shooting. Although the prosecution claimed that this bullet had killed the Vietnamese man, the retired head of the Los Angeles Police Department's crime laboratory, Leland Jones, testified that the bullet could not possibly have entered a human body. Jones said that blood or tissue would have remained on the bullet for years if it had hit the man, but he could find no trace of either. (Los Angeles Times, June 29, 1967, page 1)

Foreword, page xxiv

Paragraph 4: Insert the following new footnote at the end of the first sentence (after the words "orthodox defenders"):

*Warren's role in the Tom Mooney-Warren Billings case suggests that he was zealous, at an early stage in his public life, in safeguarding the reputation of law enforcement agencies even when the framing of an innocent man was involved. As the newly-elected Attorney-General of California, Warren in 1938 wrote to the Governor regarding Mooney's application for a pardon, asking him to bear in mind that "today law enforcement is, at best difficult of accomplishment" and that he would "not cast any unwarranted reflection upon the agencies." As Curt Gentry has written, "In brief, Earl Warren was expressing the hope that if the Governor did decide to free Mooney he would not designate him the victim of a frame-up." (Frame-Up: The Incredible Case of Tom Mooney and Warren Billings, W. W. Norton & Co., Inc., New York, 1967, pages 418-419)

Insert the following new paragraph between lines 8 and 9:

CBS-TV mounted a four-hour "News Inquiry on the Warren Report," which was presented in one-hour installments on four successive evenings in June 1967. This was a transparent and very expensive attempt to rehabilitate the Warren Report, in which open chicanery and crudely deception were utilized. (A few examples are given in footnotes on pages 29, 108, and 170.) CBS contemplated a fifth broadcast, at a later date, in which it would discuss audience reaction to its "News Inquiry," but this was cancelled when the avalanche of mail from viewers turned out to be predominantly denunciatory, by a very wide margin.

Insertions, Subject Index to the Warren Report & Hearings and Exhibits

(Meagher 5/30/68)

Page 24 "Cartons" line 8 after "1131" insert "(weight)"

Page 44 After "New Orleans" and on the same line insert the following:

WR 14 287 403-412 603-634 661 725-731 744
CEs 1139-1141 1146 1153 1154 1158 1161 1175 1175
CEs 1177 1348 1349 1387 1409-1414 1438 1515 1521-1526
CEs 1807 1828 1873 1893-1947 2012 2014 2108 2126 2131
CEs 2134 2189 2192 2196-2204 2207-2211 2216 2227-2237
CEs 2253 2476 2520 2542-2546 2548 2648-2650

Page 45 Under "Pro-Castro Activities" in line 6 after "126" insert
1153 (Trade Mart) 1154

Page 73 In line 2 insert: CE 1154 (pp. 4, 5, 7)

Page 115 Insert alphabetically: Eames, Alexander CE 1154 (p.5)

Page 131 Insert alphabetically: Quiroga, Carlos 10H 41 (unnamed) CE 1154 (p.5)

Page 143 Insert alphabetically: Eames, A.
Quiroga, C.

Up-dating Changes,

Accessories After The Fact

(Meagher, May 1968)

Page preceding table of contents, "Acknowledgements"

Delete in entirety

Page 29

Insert the following new paragraph at the end of footnote 19 at the bottom of the page:

The same theme was taken up in the CBS News Inquiry on the Warren Report, broadcast on network television in June 1967. CBS experts claimed that three blurred frames of the Zapruder film (frames 190, 227, and 318) corresponded with the three shots fired. Although the Zapruder film includes at least five other frames, not mentioned by CBS, no less blurred than frames 190, 227, and 318, CBS concluded triumphantly that the Commission's finding of a lone assassin could be sustained even without the single-missile theory. This specious line of reasoning becomes almost comical when one takes into account that the main purpose was to expand the time-span between the first two shots so as to provide the minimum of 2.3 seconds or 42 frames between two shots from the Carcano rifle, but that the interval between the first two blurred frames cited by CBS is only 37 frames. In their zeal to vindicate the Commission's findings, the CBS experts evidently overlooked the fatal shortfall of five frames, which is sufficient to invalidate the whole argument even if there were not some eight or more blurred frames to destroy the alleged correlation with three shots.

Insert the following new footnote at the end of line 5:

*In the CBS News Inquiry on the Warren Report which was shown on network television in June 1967, rifle tests utilizing a moving target were conducted in an attempt to achieve greater verisimilitude than the marksmanship tests on which the Warren Commission relied. CBS reported the results in general terms, acknowledging that 17 out of 37 attempts to fire three shots in succession failed because the rifle ~~malfunctioned~~ jammed but concluding that Oswald could have fired three shots at the Presidential car within the time-limit of 5.6 seconds.

Subsequently, a detailed account of the CBS rifle tests with the results for each of eleven participants, by name, came into my possession. On the basis of 37 attempts, the eleven expert riflemen got an average of less than one hit each. Despite the valiant effort by CBS to restore credibility to the Warren Report, it managed to throw even greater doubt than before on the Commission's conclusion that Oswald possessed the rifle capability to get two and perhaps even three hits out of three tries in 5.6 seconds.

Last paragraph, line 2: Insert the following new footnote to the phrase "shells found at the sixth-floor window of the Book Depository":

*J. D. Thompson has brought to light the arresting fact that one of the three shells has a sharp dent in its lip and, in its present condition, could not have been fired in any rifle on November 22, 1963. Thompson considers it highly unlikely that the cartridge case could have been damaged after it was discovered. The possibility that this was a piece of planted evidence to incriminate an innocent man is enhanced by the added fact that the dented shell has different marks from the other two shells; and that the only mark on it which links it to the Carcano rifle could not have been incurred on the day of the assassination. (Six Seconds in Dallas by J. D. Thompson, Bernard Geis Associates, New York, 1966, pages 143-145)

Insert the following new footnote to the sentence numbered "(6)":

*The failure to take testimony from Sibert and O'Neill should be viewed in the light of the fact that Arlen Specter questioned the two FBI agents on March 12, 1964, at which time they not only reiterated their account of the autopsy but even reinforced it. (~~Six Seconds in the~~ Dallas, page 45) The hazard to the single-missile theory which would have arisen if Sibert and O'Neill had been permitted to place their observations on record in sworn testimony is only too apparent.

Insert the following new footnote at the end of line 5:

*Members of the Commission's staff met with Army wound ballistics experts on April 14, 1964, and again on April 21, 1964. At the second meeting, two of the ballistics experts expressed the strong opinion that the stretcher bullet could not have produced all of the Governor's wounds without suffering more distortion, and that he had been hit by two different bullets. Subsequently, when the Army ballistics experts gave testimony before the Commission, counsel Specter—who was present at the April 21 meeting—was careful not to ask them if the stretcher bullet could have caused all the Governor's wounds. Specter inquired only about the theoretical possibility that one bullet could have done so.

(Six Seconds in Dallas, pages 151-152, 206-208)

The CBS News Inquiry on the Warren Report attempted to legitimize the discredited single-missile theory by conducting new wound penetration ballistics tests. Not one of the CBS test bullets was able to simulate the feats ascribed to the stretcher bullet, but this did not deter CBS from concluding that its tests vindicated the single-missile theory. However, CBS did not display any of its test bullets, leaving open the pivotal problem of whether a bullet could emerge in the same pristine condition as the stretcher bullet (a notion which has been repudiated by many experts). I therefore wrote to CBS requesting photographs or descriptions of the test bullets but CBS, in a letter dated July 13, 1967, declined to provide this information.

Delete the last two paragraphs on page 279 (beginning with the words "According to the list of items of evidence...") and the first two paragraphs on page 280 (ending with the words "...destroys it outright.") and insert the following:

According to the list of items of evidence turned over to the FBI by the Dallas police on November 28, 1963, the gray zipper jacket bore a laundry (dry-cleamer) tag "B 9738." (CE 2003, p.117)

A document in the Archives indicates that the jacket also bore a laundry mark, "30030." (Commission Document 868 Archives)

The published exhibits do not indicate any attempt by the police or the FBI to trace the dry-cleaning or laundry marks, in accordance with standard investigative procedure. An unsupported identification by Marina Oswald, who changed her testimony repeatedly on other matters, was scarcely enough to establish ownership.

Moreover, Marina Oswald told the FBI in an interview on April 1, 1964 that:

...she cannot recall that Oswald ever sent either of these jackets to any laundry or cleaners anywhere. She said she can recall washing them herself. She advised to her knowledge Oswald possessed both of these jackets at Dallas on November 22, 1963. (CE 1843)

Documents discovered in the Archives by J.D. Thompson in 1967 indicate that after this interview, the FBI carried out a canvass of all dry-cleaning and laundry establishments in the Dallas-Fort Worth area, and then in New Orleans. A total of 717 establishments were canvassed, with negative results in every instance, and the failure to trace the laundry marks on the jacket was suppressed by the Commission, from its exhibits as well as its Report. It appears that the canvass, like other serious probes into the so-called evidence against Oswald, served only to diminish it, or destroy it outright. (Six Seconds in Dallas, pages 228-230)

Index

Insert: Thompson, J. D., 114 fn., 148 fn., 279-280

Insert: Six Seconds in Dallas, 114 fn., 148 fn., 170 fn.

Insert after "Specter, Arlen," 148 fn.

Insert after "Single-missile hypothesis," 148 fn.

Insert: CBS News Inquiry on the Warren Report, 29 fn., 108 fn., 170 fn.

CONSOLIDATED LIST OF CORRECTIONS,

ACCESSORIES AFTER THE FACT
(~~BOBBS~~-MERRILL EDITION)

Jacket, back flap

Lines 5 and 7: Insert commas, after "present" and before "indisputable"

Title page

Insert acute accent mark over the "e" in "Leo"

Page xcdi

Line 2: Delete "Novmber" and insert "November"

Page xxv

Footnote, line 3: The correct name is "Melvin A. Eisenberg"

Page 3

Paragraph 2 line 1: The words inside the quotation marks should be
"Speculations and Rumors"

Page 5

Line 5: Insert the word "that" so that the phrase will read,

"...improperly, and that the..."

Page 11

Paragraph 3 lines 1 and 2: "...doorway photograph..."

Page 21

Line 7: Delete "material" and insert "merited"

Page 29

Footnote 19, paragraph 2 line 3: "...After pronouncing himself..."

Page 33

Paragraph 3 line 5: Delete "in" so phrase will read "...by early 1965..."

Page 44

Penultimate paragraph, last line: Delete "in a magazine article"

Footnote: Delete existing text and insert the following:

The Oswald Affair, The World Publishing Company, 1966, page 121.

Page 45, para. 2

Line 3: Delete "monumental" and insert "monumental"

Page 46

Paragraph 3 line 2: Insert after the word "and" the phrase "(as already mentioned)" so as to read "...and (as already mentioned) there is some question..."

Page 47

Paragraph 3 line 12: Insert after the words "tape dispenser" the following new sentence:

Since West seldom left his place at the wrapping machine, even eating his lunch there (6H 360), it seems highly unlikely that he would not have noticed Oswald handling or removing wrapping materials.

Page 48

Lines 4 and 5: Revise sentence to read as follows:

This would produce tape lacking the markings (produced by a ridged metal wheel in the dispenser) found on the paper bag tape.

Line 6: Insert after the word "machine" the phrase "and in such a way as still to produce the tell-tale markings."

Paragraph 3: After the first sentence, insert the following new parenthetical sentence:

(The paper bag was 38 inches long, while the rifle was 40.2 inches and its largest component 34.8 inches long.)

Page 49

Between paragraphs 4 and 5 (which begins with "Klein's Sporting Goods...") there should be some blank space to indicate transition.

Page 49

Paragraph 5 line 6: Delete "flatly contradicts" and insert "is inconsistent with"

Page 54

Between paragraph 3 and paragraph 4 (which begins "How strong...") there should be some blank space to indicate transition.

Page 132

Paragraph 3 line 5: Revise text as follows:

some two months later on March 20, 1963; presumably he was using cleaning paraphernalia which subsequently vanished without a trace). She said that he had been practicing

Page 161

Delete the third paragraph (which begins, "The autopsy documents...") in its entirety.

Delete the first three lines of the fourth paragraph (which begins, "Turning to the back outline...").

Replace the deleted text with the two new paragraphs below:

The autopsy documents also provide some cryptic indications of damage to the left side of the head. The supplementary report, on which the handwritten date "12/6/63" appears at the top of the first page in contrast to the complete absence of any date on the main autopsy report, presents the results of the pathological examination of the brain and other organs. Under the gross description of the brain, there are references to "an oblique 1.5 cm. tear through the left cerebral peduncle" and to "irregular superficial lacerations over the basilar aspects of the left temporal and frontal lobes." The supplementary report further indicates that sections "from the contused left fronto-parietal cortex" and "from the superficial laceration of the basilar aspect of the left temporal lobe" were taken for microscopic examination. That examination showed that "all sections are essentially similar and show extensive disruption of brain tissue with associated hemorrhage." (CE 391)

The notorious face-sheet on which Dr. J. Thornton Boswell committed his unfortunate "diagram error" consists of front and back outlines of a male figure. (CE 397, Vol. XVII, p. 45) On the back outline--the one Dr. Boswell did not realize would become a public document even though it had to be assumed at the time of the autopsy examination that the findings would become evidence at the trial of the accused assassin--we find a small circle....(continue with printed text)

Page 162, paragraph 2, line 1ff. Revise to read:

The autopsy surgeons were not questioned about the diagrammatic or written indications of bullet damage at the left temple or the left lobe of the brain. Nevertheless, when Dr. Jenkins.....(continue with printed text)

Page 238

Line 7: Insert the following remark by the author at the end of this line;
(As mentioned on page 129, no rifle cleaning equipment
was found among Oswald's possessions—S.M.)

Page 270

Line 6: Delete "July 31, 1963" and insert "July 31, 1964"

Page 272

Line 5: Insert the words "white shirt" so as to read "...wearing a white
jacket, white shirt and dark slacks..."

Page 275

Paragraph 4 last line, last word: Delete "Committee" and insert "Commission"

Page 305

Line 8: Delete "November 22, 1963" and insert "November 23, 1963"

Page 308

Line 2: Delete "prisoneer" and insert "prisoner"

Page 314

Delete line 12 in entirety ("Johnson testified further that there was") and
insert the following:

Kline's affidavit (15H 640) states tersely:

NOTE: This line does not begin a new paragraph and should not be indented.

See attached page proof.

Page 314

Penultimate paragraph, last line: Delete "November 23" and insert "November 25"

Page 316

Penultimate line: Delete "become" and insert "became"

Page 351

Line 9: After "salesman" insert "(see footnote on page 302)"

Page 360

Paragraph 7 line 3: Delete "their" and insert "its"

Page 369

Paragraph 4: After the second sentence, insert in line 6 (after the words "October 20, 1963") the following new parenthetical sentence:

(See page 8.)

Page 379

Line 2: Delete "he" and insert "the" so as to read "...the Commission..."

Page 399

Paragraph 4 line 7: Delete "Tolbert" and insert "Talbert"

Page 465 (Index)

Under "Autopsy photographs and X rays" insert "177 fn."

Page 475 (Index)

Under "Stevenson, Adlai" insert "316"

Page 476

Under "Wecht, Dr. Cyril H." delete "140" and insert "141"

Page 477

Under "Worrell, James, Jr.," delete "199-300" and insert "299-300"

tion of the Warren Report in the anticipation that it would shed light on this affair had to resign themselves to waiting longer, until the publication of the Hearings and Exhibits, for illumination. It was hard to understand why the rumors generated by Kline and Pugh were not debunked by the Commission in Appendix XII of the Report, as was, for example, the rumor that a detachment of the U.S. Army "began to rehearse for the funeral more than a week before the assassination." (WR 668) The rumor that Oswald was being watched at the request of "an official agency in Washington" seemed no less consequential than the funeral rehearsal.

The impression that the Commission wished to avoid confronting the issue was borne out when the Hearings and Exhibits finally became available. Mr. Kline's affidavit (15H 640) states tersely:

I do not recall being interviewed by Harold Feldman [sic] who I am informed represented the *New York Post*. . . . With respect to Lee Harvey Oswald, I have no personal knowledge whatsoever of any check made on him by the United States Public Health Service, Laredo, Texas, either upon his entry into or exit from Mexico in 1963. I have no personal knowledge whatsoever that any agency of the United States Government maintained a surveillance of Oswald's movements, and I have never indicated to the contrary to any news reporters. (15H 640)

Pugh's affidavit (15H 640-641) follows along the same lines. He "did not recall" being interviewed by the *New York Post*, and "in any event" all information he had given to reporters had been supplied by his assistant, Kline, and did not derive from personal knowledge.

Kline's affidavit was executed on July 31, 1964; Pugh's, on August 26, 1964. If there are any intermediate reports, interviews, or documents, they are not evident in the Exhibits.

The affidavits do not dispose of the matter. They repudiate the story in the *New York Post* (attributing it erroneously to Harold Feldman, who merely referred to the story in the *Post* in an article in *The Nation*),⁹ but the reporter who wrote the story was not questioned and we do not know whether, if he were questioned, he would retract, modify, or maintain it. The belated *pro forma* disclaimers from Pugh and Kline, his alleged sources, cannot by themselves resolve the conflict. And what about the story in the *New York Herald-Tribune*? That newspaper is not mentioned in the affidavits. Since the *Herald Tribune* story of November 26, 1963 remains unchallenged, may we regard it as accurate?

The evidence suggests that there may be much more to this affair beneath the surface, but that it may be 75 years before it is excavated. It brings to mind a passage from the testimony of Revilo Oliver, professor of classical philology at the University of Illinois and student of the assassination, in colloquy with Counsel Albert Jenner on September 9, 1964.

Oliver: The exact quotation is, "I do not know whether Oswald was paid by the CIA but I hear there was testimony before the Warren Commission that he was."

⁹ "Oswald and the FBI," *The Nation*, January 27, 1964, pp. 86-89.