

(7)

NOTES FOR A NEW INVESTIGATION

WITNESSES NOT CALLED BY THE WARREN COMMISSION

By Lylin V.

SOME

Oswald's Activities

Pierce Allman, television newsmen: Oswald had said that someone had approached him outside the Depository after the shooting and had asked to be directed to the nearest phone. Oswald's account corresponds with the actual experience of Pierce Allman, and time-wise conflicts with the Commission's reconstruction of Oswald's "escape."

Mary Dowling, waitress at Dobbs House: She told the F.B.I. that Oswald and Tippit were in the restaurant at the same time, two days before the assassination, and that Tippit especially noticed Oswald when he complained about his food. The Warren Report says that the two men were not acquainted and had never even seen each other.

John Rene Heindel, ex-Marine acquaintance of Oswald's: Heindel was known by the nickname "Hidell," to Oswald and to other Marines. The Warren Report says that there is no real "Hidell" and that it was only an alias invented by Oswald for his own purposes.

Alonzo Hudkins, reporter for the *Houston Post*: He gave the Secret Service information suggesting that Oswald was being paid \$200 a month by the F.B.I. as an informant holding assigned number "S172."

Milton Jones, bus passenger: He told the F.B.I. that the Dallas police had boarded the bus and searched the passengers just after Oswald had debarked, which was before anyone noticed Oswald's absence from the Depository.

Sandra Styles, Depository office employee: With Victoria Adams, she ran down the back stairs of the Depository immediately after shots were fired but did not encounter Oswald—supposedly running down at that time—nor Roy Truly and policeman M. L. Baker, supposedly running up.

and

The Shots and Related Circumstances

James Chaney, motorcycle policeman: He rode in the motorcade and reportedly saw Governor Connally hit by a second bullet after the President was first shot. That conflicts with the single-bullet theory.

Julia Mercer: About 75 minutes before the assassination, while driving toward the triple underpass, she saw a man walk up the grassy knoll carrying what appeared to be a rifle case.

Approximately 196 people known to have witnessed the assassination at the scene were never questioned by the Commission. (Named in Appendix to Mark Lane's *Rush to Judgment*.)

Commissioners

who

The Tippit Shooting

There is considerable confusion and contradiction about the time that Tippit was shot, the description of the killer, the movements of the suspect, and the actions of the eyewitnesses. The following people could have given important information.

T. F. Bowley, the only witness at the Tippit scene who looked at his watch to check the time when he saw Tippit's

ice information suggesting that Oswald was being paid \$200 a month by the F.B.I. as an informant holding assigned number "S172."

Milton Jones, bus passenger: He told the F.B.I. that the Dallas police had boarded the bus and searched the passengers just after Oswald had debarked, which was before anyone noticed Oswald's absence from the Depository. **Sandra Styles**, Depository office employee: With Victoria Adams, she ran down the back stairs of the Depository immediately after shots were fired but did not encounter Oswald—supposedly running down at that time—nor Roy Truly and policeman M. L. Baker, supposedly running up.

The Shots and Related Circumstances

James Chaney, motorcycle policeman: He rode in the motorcade and reportedly saw Governor Connally hit by a second bullet after the President was first shot. That conflicts with the single-bullet theory.

Julia Mercer: About 75 minutes before the assassination, while driving toward the triple underpass, she saw a man walk up the grassy knoll carrying what appeared to be a rifle case.

Approximately 196 people known to have witnessed the assassination at the scene were never questioned by the Commission. (Named in Appendix to Mark Lane's *Rush to Judgment*.)

The Tippit Shooting

There is considerable confusion and contradiction about the time that Tippit was shot, the description of the killer, the movements of the suspect, and the actions of the eyewitnesses. The following people could have given important information.

T. F. Bowley, the only witness at the Tippit scene who looked at his watch to check the time when he saw Tippit's body. Bowley said in an affidavit taken by the Dallas police that Tippit was already dead at 1:10 p.m., while the Commission says that he was shot at 1:15 p.m. If Bowley was correct about the time, Oswald could not have walked from his rooming house to East 10th Street in time to kill Tippit.

Radio-car patrolman R. C. Nelson: Tippit went to central Oak Cliff, supposedly on a simultaneous instruction to him and Nelson. But Nelson went to the Depository, casting doubt on whether either of them were really ordered to Oak Cliff.

Radio-car patrolman H. W. Summers: He obtained a description of the Tippit suspect from an unknown bystander—who said that the suspect had "black wavy hair," was 5'11" tall, and carried a .32 automatic pistol.

Marie Tippit, widow of J. D. Tippit: She probably saw her husband about an hour before he was killed, when he came home for lunch. Also, she could have given information on such things as their unlisted phone and on Tippit's "work at home" in the evenings.

Frank Wright and his wife: They lived across the street half a block from the spot where Tippit was killed. Mr. Wright heard the shots, saw a man standing right at Tippit's car who "ran as fast as he could go," got into a small old grey 1950-1951 coupe, and "drove away as quick as you could see." Mrs. Wright phoned the police to report the shooting; it was her call that resulted in the dispatch of the ambulance.

Ambulance drivers Clayton Butler and Eddie Kinsley were never questioned either.

2

Oswald's Arrest

There are many unanswered questions as to who pointed Oswald out to the police, who drew a gun, whether Oswald tried to shoot an officer, and what was said by whom. The following witnesses present at the theatre might have thrown light on those matters:

Bob Apple, insurance investigator.
Detective Paul Bentley: He found a forged "Hidell" card on Oswald. **Bob Barrett**, F.B.I. agent. **Jim Ewell**, reporter.

Detective F. E. Taylor: He stayed behind at the theatre after the arrest to make a list of the names and addresses of the patrons. The list is not among the Commission's exhibits.

Police officers Baggett, Buhk, Cunningham, Lyon, Stringer, and Toney.

Oswald's Interrogation

Although Dallas Police Captain Fritz "kept no notes" or transcript of the interrogation of Oswald, and the reports submitted by Fritz and Federal agents (primarily from memory) were ~~incomplete and in some vital respects contradictory~~ ^{cf.} Oswald's trip to Mexico, where he was at the time of the shooting, and his "Hidell" alias—

the following persons present were not asked to submit reports or to testify: **Jim Allen**, former Assistant District Attorney. Secret Service agents **Grant, Howard, Kunkel, Patterson,** and **Warner**, F.B.I. agent **Joe Myers**, U.S. Marshall **Robert Nash, Chuck Webster**, Professor of Law.

The Walker Shooting

In addition to the Kennedy-Tippit killings, the Warren Commission also "convicted" Oswald of ~~attempting to~~ murder General Edwin A. Walker in April, 1963. But they neglected to take testimony from:

Walter Kirk Coleman, a teen-age neighbor of General Walker, who saw two men flee the scene by car after the shot was heard. Oswald could not drive, and the ~~Commission~~ ^{Commission} said he was ~~alone~~.

Detective Ira Van Cleave, who participated in the original investigation of the Walker shooting and who told the press at that time that the bullet had been "identified as a 30.06," which could not have come from Oswald's rifle.

The Autopsy

In view of the conflicting descriptions of the wound in the President's back by the F.B.I. and the autopsy surgeons, witnesses who saw the body could have given crucial information ~~about the wound.~~

Admiral George Burkley, presidential physician: He was in the motorcade, then at Parkland Hospital, and later at the autopsy, and he received the autopsy report submitted by the pathologists.

Francis X. O'Neill, Jr., F.B.I. agent:

Jim Allen, former Assistant District Attorney. Secret Service agents Grant, Howard, Kunkel, Patterson, and Warner. F.B.I. agent Joe Myers. U.S. Marshall Robert Nash. Chuck Webster, Professor of Law.

The Walker Shooting

In addition to the Kennedy-Tippit killings, the Warren Commission also "convicted" Oswald of attempting to murder General Edwin A. Walker in April, 1963. But they neglected to take testimony from:

Walter Kirk Coleman, a teen-age neighbor of General Walker, who saw two men flee the scene by car after the shot was heard. Oswald could not drive, and the Commission said he was alone.

Detective Ira Van Cleave, who participated in the original investigation of the Walker shooting and who told the press at that time that the bullet had been "identified as a 30.06," which could not have come from Oswald's rifle.

The Autopsy

In view of the conflicting descriptions of the wound in the President's back by the F.B.I. and the autopsy surgeons, witnesses who saw the body could have given crucial information about the wound.

Admiral George Burkley, presidential physician: He was in the motorcade, then at Parkland Hospital, and later at the autopsy, and he received the autopsy report submitted by the pathologists.

Francis X. O'Neill, Jr., F.B.I. agent: He was present throughout the autopsy and his description of the wound in the President's back conflicts with the official autopsy report.

James W. Sibert, F.B.I. agent: Same as O'Neill above.

John T. Stringer, Jr., medical photographer: He photographed the President's body.

Fourteen other Armed Forces or Federal officials named in the F.B.I. Report, and four funeral-home workers who prepared the body for burial, were also present at the autopsy.

The Stretcher-Bullet

~~(See Hunted-Bullet Theory)~~
Richard E. Johnsen, Secret Service agent: He was handed the stretcher bullet by O. P. Wright, chief of personnel, at Parkland Hospital, before the Presidential party departed. Wright was not called either.

the Commission's exhibits. Police officers Baggett, Buhk, Cunningham, Lyon, Stringer, and Toney.

3

Possible Conspiratorial Leads

Patrolman W. E. Barker: He saw workers in the Depository pointing to a man wearing horn-rimmed glasses. Barker immediately arrested the man for questioning, and as of December 6, 1963, he was still in jail "but no longer as a suspect in the killing."

F.B.I. agent Warren De Brueys: Before the assassination he reported on Oswald's activities in New Orleans; he was present at Oswald's interrogation; and he investigated allegations suggesting that Oswald expected to receive a large sum of money.

Robert Adrian Taylor, service-station attendant: He claimed that Oswald had given him a rifle in lieu of payment for car repairs in the Spring of 1963. *The Warren Report* asserts that Taylor retracted his identification of Oswald.

R. W. Westphal and other Dallas policemen prepared reports immediately after the assassination in which Oswald's old Elsbeth Street address was specified when the police had no known access to that address and although they claim they had no record of Oswald before November 22, 1963.

He d

Names Unknown

About ten or more witnesses present at the Texas Theatre when Oswald was arrested, named on a list of patrons compiled by detective E. E. Taylor. **Caterer at the Depository,** who sold lunches to employees and might have sold lunch to Oswald on the day of the assassination or on other occasions.

"No. 179 (Unknown)" who, according to the Dallas Police radio log, actually found the jacket discarded near the Tippit scene, although *The Warren Report* credits Captain Westbrook with the discovery.

Post-office employees at the main office, where Oswald maintained P.O. Box 2915, who were not questioned about specific records or recollections of the delivery of packages addressed to "A. Hidell" containing the rifle and the revolver.

Inmates, County Jail, who were permitted to watch the motorcade from a window and may have observed significant happenings at the sixth floor window or other Depository windows.

Gunsmiths, Aberdeen Proving Ground and Klein's Sporting Goods, Inc., concerning the opinion by the Aberdeen gunsmith that the scope on the assassination rifle "was installed as if for a left-handed man" (Oswald was right-handed).

Scientific Investigation and Other Inquiries Which Should be Carried Out

FIFTEEN INQUIRIES TO BE PURSUED

Ties

1 Tracing and examination of the unseen autopsy photographs and X-rays.
2 Rifle and marksmanship tests on the basis of a reenactment of the shots from the Depository, using dragged car and dummies, and riflemen whose capabilities correspond with Oswald's level of skill. (The Warren Commission used experts.)

3 Tracing of the rifle obtained by Robert Adrian Taylor (see above) to determine whether the weapon was ever in the possession of Oswald or persons associated with him.

4 Tracing of laundry tag on the jacket discarded near the Tippit scene (number "B 9738") to determine whether Oswald or someone else had it cleaned.
5 Reenactment of Oswald's taxi ride, in a metered vehicle, to determine the

of the delivery of packages addressed to "A. Hidell" containing the rifle and the revolver.

Inmates, County Jail, who were permitted to watch the motorcade from a window and may have observed significant happenings at the sixth floor window or other Depository windows.

Gunsmiths, Aberdeen Proving Ground and Klein's Sporting Goods, Inc., concerning the opinion by the Aberdeen gunsmith that the scope on the assassination rifle "was installed as if for a left-handed man" (Oswald was right-handed).

**Scientific Investigation
and Other Inquiries
Which Should be Carried Out**

FIFTEEN INQUIRIES
TO BE PURSUED

ties

- 1 Tracing and examination of the unseen autopsy photographs and X-rays.
- 2 Rifle and marksmanship tests on the basis of a reenactment of the shots from the Depository, using dragged car and dummies, and riflemen whose capabilities correspond with Oswald's level of skill. (The Warren Commission used experts.)
- 3 Tracing of the rifle obtained by Robert Adrian Taylor (see above) to determine whether the weapon was ever in the possession of Oswald or persons associated with him.
- 4 Tracing of laundry tag on the jacket discarded near the Tippit scene (number "B 9738") to determine whether Oswald or someone else had it cleaned.
- 5 Reenactment of Oswald's taxi ride, in a metered vehicle, to determine the actual time. In reenactments performed for the Warren Commission the estimate was progressively reduced from eleven to nine to six minutes.
- 6 Re-auditing of the police radio log to make an authoritative transcript which would resolve the conflicts among the three transcripts made for the Warren Commission.
- 7 Auditing of tapes of statements to the press by Parkland Hospital doctors, describing the President's wounds (tape of the first press conference is said to be "lost").
- 8 Tracing of Tippit's clipboard, never requested by the Warren Commission although it is visible in a photograph of his car before it was removed from the scene of the shooting.
- 9 Scrutiny of all test bullets fired in the wound ballistics experiments with human cadavers, goats, and gelatin blocks (260 rounds of ammunition were obtained for use in those tests but only two of the test bullets are shown by the Warren Commission for comparison with the stretcher bullet).

10 Examination of all unpublished films and photographs of the assassination (i.e., the missing Zapruder frames; the Moorman photograph encompassing the Depository; the Betzner photos showing the fence area on the grassy knoll; the Robert Hughes film showing the sixth-floor window; the Ralph Simpson film.)

11 Investigation of the repositioning and ultimate disappearance of the Stemmons Freeway sign which obscured the President from Zapruder's camera for some 15 frames of the film—of vital importance to the "Traffic-Sign Theory."

12 Tests of authenticity (including "Mercader effect" test) of the palm print lifted from the rifle barrel.

13 Examination of all withheld F.B.I. and Secret Service reports of interviews with witnesses, including Parkland Hospital personnel (some thirty interviews with the doctors and others, none of which are published in the Exhibits).

14 Examination of all transcripts of off-the-record passages of testimony.

Witnesses we could have done without

Mrs. Anne Boudreaux: Knew a woman who had been Oswald's baby-sitter for 2 weeks when he was 2½ years old, but never knew Oswald or his mother. (4 pages of testimony)

Mrs. Viola Peterman: Was a neighbor of Marguerite Oswald in 1941, when Lee was "a good little child" of 2 years, but she hadn't seen or heard from the Oswalds for 23 years. (7 pages)

Professor Revilo Pendleton Oliver: Called to discuss his article "Marxmanship in Dallas," spent 35 pages proving he had no information to contribute to any aspect of the investigation.

Information About Jack Ruby

Lt. George Butler: He was present when Ruby murdered Oswald, and he gave contradictory information to the F.B.I. and to the press about Ruby's past criminal associations and activities.

Wanda Joyce Killam, dancer at Ruby's Carousel Club: Her husband, Hank Killam, was a friend of Oswald's fellow-roomer on Beckley Street, John Carter. Killam was found dead in Florida, his throat cut, in March, 1964.

Ray Rushing, evangelist: He attempted to see Oswald on Sunday morning and says that he rode up in the police elevator with Jack Ruby at 9:30 a.m. when, according to the Commission, Ruby was at home.