(V) CURB SHOT & LIFE COVER Feb. 7, '64

Of course, the curb shot itself poses another dilemma for the Warren Report enthusiasts, and probably was the [illegible] reason for the surprise leak in May '64 announcing what later became the official version; that one bullet pierced both JFK and Connally. The germ for this idea probably was in a Dallas News story of Dec. 13, 1963 -- which I have -- which dealt with spectator Tague's complaint that he had been struck sharply in the cheek at the time of the shots, while standing on the curb on the south side of Main Street near the overpass.

The story quotes Sheriff's Dep. Buddy Walthers as discovering a "chip in the curb" near where Tague was standing, and says that the chip "appeared freshly made"; and that Deputies Walthers and Allan Sweatt concluded that Tague "could have been hit by a sliver from the bullet or a particle of concrete from the curb".

The story states the problem of the apparent fourth bullet as compared with the story of only three shots, and suggests that Connally may have been mistaken in his belief he was hit by a different shot from JFK's, and asks: "Did the rifleman fire two bullets into the car, with one striking both Pres. Kennedy and Gov. Connally, and . . . a third which passed over their auth?"

Walthers testifies (v.7,p.547) that he told Sweatt; "A bullet struck that curb -- you can see a fresh ricochet where it had struck". He strongly reaffirms this (ib.,p.550), saying he is sure "it was a fresh ricochet mark". In his report to the Sheriff's Dept made Nov. 22 he says, (v.19,p.518): ". . .Upon examining the curb . . . in this vicinity I found where a bullet had splattered on the top edge . . . Due to the fact that the projectile had struck so near the underpass . . . . ". (MY UNDERLINE)

Despite the Dallas News story of a "chip", Walthers is asked about, and testifies about, a "mark". He is not asked if any concrete had been knocked loose, nor is he asked to describe the "mark".

Dep. Sheriff Sweatt was not called at all to testify. In his Sheriff's report (v.19,p.532), he doesn't mention the curb incident.

Tague testifies as to the discovery of the "mark";(v.7,p.553): ". . .There was a mark quite obviously that was a bullet, and it was very fresh." Tague is not asked to describe the "mark".

In vol.21, pg. 478, is a photo which shows the "mark". An unsigned FBI Statement (ib.,472) identifies this picture as a frame of 16 mm. movie film made by James R. Underwood on the morning of Nov. 23, '63, and states that Underwood squatted in the gutter "to get a closeup view of the mark." (It is not made clear whose hand is shown shielding the "mark".)

According to the same Statement, another photo of the "mark" was taken on Nov. 23 by Tom Dillard, (ib.,p.479).

The FBI obviously goes to great pains to assure the Commision that the "mark" is indeed a "mark", and not a chip; thereby choosing to ignore the Dallas News story, and the fact that the Dillard and Underwood photos, and especially the latter, clearly show it as a chip.

(By assuming the middle finger in the Underwood photo is the same length as mine, 3-3/4", I estimate the chip to be 1-1/2" long, with a maximum width of 3/4". The shadow cast into the hole by its edge could probably enable an expert to estimate its depth.)

Dillard testifies (v.6,p.162), but is not asked about the curb incident or his photo at all. Same with Underwood, (v.6,p.167). But the anonymous FBI Statement says that Dillard and Underwood both told FBI agents -- in June and July '64 --that it was "definitely a mark on the curb . . . not a nick". Likewise, Shaneyfelt, v.15,p.700; ". . . Not a chip . . . no curbing . . . removed".

(although Tague says he couldn't locate the "mark" when he went back in May '64, he identifies the chip -- without calling it that -- in the Underwood photo, as looking "similar" to that he saw on Nov. 22; v.7,p.556).

Of course, the payoff comes when you try to find the chip in Shaneyfelt No. 34, (v.21,p.482), which is the section of the curb that was finally removed by the FBI on Aug.5, 1964 (ib.,p.476) for examination and presentation to the W.C., (ib.,p.700).

See? Here's the FBI proof that the curb wasn't chipped! No wonder Tague couldn't find the spot when he returned six moths later. The Hoover letter assures us (v.24,p.475) that FBI lab comparison shows the "mark" on Shaneyfelt No. 34 is the same as that on the Underwood and Dillard photos. I guess if J. Edgar says it, it must be so.

But he is slightly contradicted by the FBI Statement (ib.,p.474) which says;". . . no nick or break in the concrete was observed . . . nor was there any mark similar to the one in the photographs taken by Underwood and Dillard observed . . . " -(my underl)

The Statement ends on a note of comedy by suggesting that the original "mark" may have been washed away by rain, and street cleaning machines. If the chip seen in the Underwood photo can be washed away by rain and street cleaning in six to seven months, then every curb in America would need replacing every other year. (end -- R.Marcus-Sept.'65

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