

1965

WHERE IS YOUR LANTERN, DWIGHT MACDONALD?

Very long is the 888-page Report of the President's Commission On The Assassination of President Kennedy. And very long was Dwight Macdonald's Critique of the Warren Report in the March issue of Esquire. The Commission said of itself that it functioned "as a fact finding agency committed to the ascertainment of the truth" (Report xiv). "Truth," wrote Mr. Macdonald, "is something different from, though not unrelated to, the facts". Too many facts have the "effect" of concealing the truth. One arrives at the truth by skillful discrimination "between", and objective use of, facts which "are very much not" solid, concrete objects "like marbles," but "subtle essences, full of mystery and metaphysics that change their color and shape, their meaning, according to the context in which they are presented" (Esq. March, '65 p.61).

Mr. Macdonald found 1) the Commission and its counsel and staff consisted regrettably, in greater part, of lawyers, who suffered from "professional deformation of intelligence," (E123) and might have profited from the inclusion among their midst of a psychiatrist, political journalist, detective, and "real" historian; 2) their Report is written in a style inferior to Homer's and not well calculated to persuade the reader that he "is getting... the definitive account, complete and objective of what happened in Dallas" (E62); 3) "the most striking aspect of the Report is the quantitative -- "a great defect is an indiscriminating and omniverous inclusiveness" (E61);

4) "Partisanship does infect the Report" (E62) -- it exhibits "the reflexive instinct of people in office to trust other officials more than outsiders and to gloss over their mistakes" (E62) -- "The Dallas police are let off easy all through the Report" (E63) -- it shows an "adversary" bias against Oswald;

5) the Commission accepted or rejected "testimony according to how it fits into what the Commissioners want to prove" (E63) -- they relied "on great accumulations of often dubious testimony" (E128); 6) the "soft" evidence, "mostly eyewitness testimony" is "confused and contradictory" -- the Commission tried "to conceal or explain away places where it contradicted whatever general theory the Commission had formed" (E63-62).

On the other hand, Mr. Macdonald who believes that "facts have no logic" (E60) but is a "die-hard skeptic" and gives in to evidence (E130), thinks the lawyers wrote a "Bad Report That Proved Their Case" (E136). The "hard" evidence convinced him "beyond a reasonable doubt" that "Oswald alone killed the President; there were no accomplices and there was no conspiracy" (E136).

A considerable number of individuals, including attorneys, equally concerned with fact and truth, however, are not convinced that the Commission ascertained or reported the truth, or the whole truth, about President Kennedy's assassination and the murder of Oswald. They continue, even persist, in pointing out serious discrepancies in the evidence, omissions or exclusions of fact and evidence, significant inaccuracies, and arbitrary findings contrary to fact. They impugn the objectivity of the

Commission and challenge its findings. They ask searching questions.

To whom should the questions be addressed? Who can answer them authoritatively? The Commission, an ad hoc body created by President Johnson, completed its assignment, submitted its Report to the President and to history, deposited its voluminous materials in the National Archives, and disbanded. It is no more. No one can speak for it officially. At a later date, when they have had the necessary time and opportunity to do so, historians may resolve the persisting doubts. Or recent history may repeat itself. If the tide of doubt and criticism continues and acquires sufficient force, Congress, which was considering such a step when the Warren Commission was appointed, may initiate an investigation into the assassination of President Kennedy, as it did, following many unsatisfactory Presidential investigations, into the disaster sustained by the United States at Pearl Harbor in 1941.

In the meantime a controversy continues among self-appointed critics and autonomous defenders of the Report and the Commission. Perhaps Mr. Macdonald, having entered the lists in behalf of the Commission, will respond to a number of questions about problems relating to the "hard" evidence and its implications.

The Rifle: Ballistic evidence established 1) the almost whole bullet found in the stretcher on which Governor Connally was carried into Parkland Hospital, and the bullet fragments recovered from the limousine in which he and President Kennedy

were riding when shot in Dallas on November 22, 1963, were fired from the 6.5 Mannlicher-Carcano rifle found by the police on the sixth floor of the Texas School Book Depository less than an hour after the assassination; and 2) three empty cartridge cases found on the sixth floor near the southeast corner window were ejected from that rifle.

Physical measurements, documentary evidence, and expert testimony established 1) the rifle found by the Dallas police at 1:22 p.m. on November 22, was 6.5 Mannlicher-Carcano, Model 91/38, Serial No. C2766, manufactured in Italy in 1940 (Report 553), "is 40.2 inches long and weighs 8 pounds" (R81); 2) it was obtained from Klein's Sporting Goods in Chicago, a mail order company, which received the order on March 13, 1963 and filled it one week later; 3) the order blank, reproduced from Klein's microfilm records on page 120 of the Report, was clipped from an ad in the February, 1963 issue of the American Rifleman, a monthly magazine; 4) the order called for a rifle and scope, identified with Klein's No. C20-T750; 5) the order was signed by A. Hidell, in the handwriting of Lee Harvey Oswald; 6) the rifle, with scope attached by a Klein gunsmith, was shipped as requested to A. Hidell, P. O. Box 2915, Dallas, Texas, a box rented by Oswald.

Not included in the Report nor in the 26 volumes of testimony and exhibits compiled by the Commission are 1) the full page ad in the American Rifleman; 2) the description of rifle #C20-T750 in that ad as "Late Issue!, only 36" overall, weighs 8 pounds."

How explain this gross discrepancy? What is its significance? Why did the Commission ignore it? Why was not William Waldman, vice-president of Klein's, questioned about it when he was examined by Commission Counsel David W. Belin in Chicago on May 20, 1964, or on a subsequent occasion? Do these discrepancy and omissions strengthen or weaken the "hard" evidence?

The Palmprints: Many finger and palm prints were discovered by the Dallas police on four cartons of books "in and near" the window in the southeast corner of the sixth floor of the Texas School Book Depository and were subsequently examined by the FBI. One identifiable print was not identified. Twenty-four were made by "an FBI employee and a member of the Dallas police department" in searching for evidence. Despite the fact that "Two of these four boxes, weighing approximately 55 pounds each, had been moved by the floor-laying crew ..., the Commission determined that none of the warehouse employees who might have customarily handled these cartons left prints which could be identified" (R249). Except Oswald, who left three identifiable prints, Oswald's prints were discovered on the improvised paper bag found near the cartons, which, the Commission believes he made out of materials found in the Depository shipping department to which he had frequent access, and which was used to hold the disassembled rifle.

Sebastian F. Latona, Supervisor of the Latent Fingerprint section of the FBI's Identification Division, examined visible prints on the rifle on the morning of November 23 in Washington, "as well as photographs of them which the Dallas police had

made;" "concluded they were of no value;" then processed the "complete weapon but developed no identifiable prints" because "the poor quality of the wood and the metal would cause the rifle to absorb moisture from the skin, thereby making a clear print unlikely." Six days later, Latona received from the Dallas police a right palm print of Oswald, "lifted" from the gun barrel at a point covered by the wooden foregrip when the rifle is assembled, and in transit from Dallas to Washington for three days (R123-124). Are these various statements compatible? Are they all equally credible? Do they dispel or stir doubt?

The Fibers: A "tuft of several cotton fibers" found between the butt plate of the rifle and the wooden stock" matched some of the fibers in the shirt Oswald was wearing when arrested. Other fibers in the shirt were not found on the rifle. Agent Paul H. Stombaugh of the Hair and Fiber Unit of the FBI laboratory had no doubt "that these fibers could have come from this shirt." But he was "unable to estimate the period of time the fibers were on the rifle." And "the Commission was unable to reach any firm conclusion as to when the fibers were caught in the rifle" (R124-125). Fibers found in the paper bag on the sixth floor of the Texas School Book Depository matched fibers in a blanket in which Oswald kept a rifle in the garage of the Paine home in Irving, Texas, at which his wife, Marina, was staying. Whether the fibers came from the blanket also could not be determined (R137).

If accepted at face value, what does all this evidence

prove? That Oswald had in his possession and handled rifle No. C2766, and thereby, and therefore, was involved in the chain of events culminating in the assassination. But does the "hard" evidence identify Oswald as the assassin of President Kennedy as the Commission found (R375)?

Much stronger is the "hard" evidence in the murder of Tippit. A revolver ordered by mail by Hidell in Oswald's handwriting was found on Oswald when arrested. Empty cartridge cases recovered by the police in the area of the slaying were proved to have been fired from that revolver. Again, accepting this evidence at face value, what does it establish? That Oswald shot Tippit? Does it prove he fired at President Kennedy with a rifle? What connects the two events? The Commission concluded Oswald "killed Dallas Police Officer J. D. Tippit in an apparent attempt to escape" (R195). It is a possibility; if Oswald killed President Kennedy, even a probability; but is it a fact? In the Commission's view the connecting link between the two murders is motive. What evidence, "hard" or "soft", establishes the motive for the killing of Tippit? Can an assumption of motive for killing Tippit be used as proof Oswald murdered Kennedy?

Medical Evidence-Kennedy: In the course of their desperate but futile struggle to save President Kennedy's life, the doctors and nurses at Parkland Hospital in Dallas noted a small wound in the President's neck near his Adam's apple, destroyed by excision in performing a tracheotomy, and a massive injury on the right side of his head which was declared to be the cause of death. Three doctors and Father Huber, the priest who

performed last rites for the slain President, noted a wound on the left side of his head; Dr. McClelland's written report (R527) ascribed the cause of death to "massive head and brain injury from a gunshot wound of the left temple."

The autopsy, performed at Bethesda Naval Hospital in Washington, D.C., during the night of November 22-23, confirmed the head wound noted at Parkland Hospital, and described two additional wounds, one in the President's back 14 cm (5.5118 inches) below the tip of the right mastoid process (just behind the ear) and 14 cm to the left of the right shoulder acromion (tip of the shoulder joint), the other in the "right posterior portion of the scalp," about "2.5 centimeters (.98425 inches) to the right and slightly above the external occipital protuberance which is a bony prominence situated in the posterior portion of everyone's skull" (Testimony of Commander James J. Humes, Vol. II-351). Both back wounds were interpreted as points of entry of separate missiles.

The neck wound noted at Parkland Hospital was interpreted as the point of exit of the bullet which entered the President's back and traversed his neck. Post mortem examination established bruising of "both the parietal and visceral pleura" and "the most apical portion of the right lung;" the windpipe was ripped but no damage was found in the carotid artery, jugular vein, or any bony structure; the large neck muscles were intact. It was assumed the bullet could have emerged intact. Discovery of a bullet fragment over the right eye and the large defect in the skull made impossible exact determination of the point of

exit of the other bullet. It was the firm opinion of the autopsy pathologists that the shots were fired from above and behind the Presidential limousine.

If that was so, how account for the fact that the clothing and motorcycles of Officers Hargis and Martin, riding to the left and rear of the Presidential limousine, were spattered with blood and brain matter? Were shots also fired from the front? Or from the right? Was that the direction of the fatal shot? Was there, in fact, a wound on the left side of the President's head? Was it an exit wound? Would the autopsy black-and-white and color photographs, turned over to the Secret Service before development, yield the answer? Why didn't the Commission reproduce them as "hard" evidence? Why does the Report make no comment on these problems?

Examination by the FBI of the clothing worn by President Kennedy when he was assassinated, revealed tears in the back of his jacket and in the back and front of his shirt; there was also "a nick on the left side of the knot" of his tie. In the jacket "traces of copper were found in the margins of the hole and the cloth fibers around the margins were pushed inward." Fibers around the hole in the back of the shirt were pressed inward, around the overlapping holes in the flyfront, outward (R94). The weight of this evidence supports the opinion of the autopsy pathologists that a bullet struck the President in the back and exited from the front of his neck. The locus of the nick in the tie indicated the bullet moved through him in a right-to-left direction.

Equally weighty is the location of the tears in the jacket and the back of the shirt. These holes were in alignment. In the jacket the FBI found "a roughly circular hole approximately one-fourth of an inch in diameter on the rear of the coat, 5-3/8 inches below the top of the collar and 1-3/4 inches to the right of the center back seam of the coat." And the shirt "contained a hole on the back side 5-3/4 inches below the top of the collar and 1-1/8 inches to the right of the middle of the back of the shirt" (R94). Both holes were between two and three inches below the wound in the President's back.

How can these discrepant figures be reconciled? If the President was shot from above how could the bullet have pierced his clothing below the point of entry in his back? If he was shot from below who was the gunman? What was his firing position? Why did the Commission pass over the problem without comment in its Report?

Medical Evidence- Connally: Reports and testimony by Doctors Shaw, Shires, and Gregory, who treated Governor Connally at Parkland Hospital on November 22, 1963, described wounds in his back, chest, right wrist, and left thigh. No bullet was found in the Governor. X-rays taken at the time revealed tiny metallic fragments in his left femur and right wrist. A number of the wrist fragments were removed; others and the femur fragment were not. All were interpreted as bullet fragments.

A virtually intact, metal-jacketed, undeformed bullet (Exhibit 399) some three grains short of its original weight, was discovered by accident, in the afternoon of November 22, 1963.

in Parkland Hospital. Examination of the bullet proved it had been fired from Mannlicher-Carcano rifle #C2766. Dr. Shaw thought the wrist fragments exceeded three grains in weight; he believed "bullet Exhibit 399" could have inflicted the Governor's chest wounds, but would have lost more substance and been deformed had it inflicted the wrist wound (IV 113-114). Dr. Gregory thought the entrance wound in the wrist had been caused by an "irregular" or distorted bullet (IV-124). Commander Humes, in discussing the Parkland reports, couldn't "conceive" that the bullet fragments "came from this missile" (II 376). On the basis of what evidence and of whose expert opinion did the Commission conclude "All these fragments were sufficiently small and light so that the nearly whole bullet found on the stretcher could have deposited those pieces of metal as it tumbled through this wrist" (R95)?

Number of Bullets: Medical and ballistic evidence, if taken at face value, establishes 1) President Kennedy's head and neck wounds were caused by two bullets; 2) Governor Connally's wounds were caused in all probability by two bullets, possibly by one. Less certain is the source of the minor injury incurred by spectator James Tague, watching the motorcade from a point ahead and to the left of the Presidential limousine, who was struck on the cheek by an "object" during the shooting. Deputy Sheriff Walther quickly "located a place on the south curb of Main Street where it appeared a bullet had hit the cement" (R116). Spectrographic and microscopic analysis by the FBI of that piece of curbing after it was cut out on

August 5, 1964 established 1) the mark, consisting of metallic smears, was not made by an unutilated bullet on first impact; nor 2) by a whole jacketed bullet of the type that struck President Kennedy and Governor Connally; 3) it could have been made by the lead core of such a missile; 4) it was not possible to say whether the mark was made by a fragment of a bullet striking the occupants of the Presidential limousine or by a fragment from a bullet which missed the car entirely (XXI 476-477). Slight damage to the windshield and upper windshield chrome of the Presidential limousine were attributed to bullet fragments found in the car.

Because of the lack of unequivocal medical and ballistic data, determination of the number of shots could not be made on the basis of "hard" evidence. The Commission cited as supporting evidence, the decision of "officials at the scene" that three shots were fired, and eyewitness testimony which, it noted, "may be subconsciously colored by the extensive publicity" given to that decision. "The physical and other evidence examined by the Commission compels the conclusion," reads the Report, "that at least two shots were fired ... The most convincing evidence relating to the number of shots was provided by the presence on the sixth floor of three spent cartridges which were demonstrated to have been fired by the same rifle that fired the bullets which caused the wounds ... the preponderance of the evidence, in particular the three spent cartridges, led the Commission to conclude that there were three shots fired" (R110-111).

Bullet Exhibit 399: Two shots struck President Kennedy; one killed him. Did a third shot strike Governor Connally? He and his wife thought so. That finding might not explain all the Governor's wounds but would be consistent with the Commission's conclusion three shots were fired. It would explain three shots but would not account for three bullets. An almost whole missile was recovered from the Governor's stretcher in Parkland Hospital and was identified as Commission Exhibit 399. As no bullet, either whole or in substantial part, was found in the Governor, the stretcher missile could account for his wounds -- one shot, one bullet. The fatal Kennedy bullet was shattered on impact, fragments lodging in his skull, slightly damaging the car's windshield, and possibly injuring spectator Tague -- one shot, one bullet. How account for the bullet that went through the President? What became of it? Because of its direction and exit velocity of 1772 to 1779 feet per second (R105), the "bullet that hit President Kennedy in the back and exited through his throat most likely could not have missed both the automobiles and its occupants" (R105). Had it struck the car it would have caused more damage than was found. The only other occupant struck was Connally. His wounds are accounted for by bullet 399. The whereabouts of bullet three cannot be established. One shot, no bullet. The theory comes full circle and founders on the "hard" evidence.

But what if "one shot probably missed the Presidential limousine and its occupants" (R117) and shattered or was lost somewhere in the area? The role of the fatal bullet would

remain intact. And the bullet which went through Kennedy? It had to pass, therefore, with inexorable logic, also through Connally. Three shots, three bullets.

If the theory does not explain the facts, perhaps the facts can be made to fit the theory. Onsite tests by the FBI in Dallas and wound ballistics experiments with animal flesh covered with cloth and with "portions of human cadavers" (V81) performed by army pathologists at the Edgewood Arsenal in Maryland, all in May 1964, led the Commission to conclude "one shot passed through the President and then most probably passed through the Governor's body" (R111). That had to be bullet Exhibit 399.

How was that bullet transported from the Presidential limousine into Parkland Hospital? In Governor Connally's clothing? When the Presidential limousine arrived at Parkland Hospital the Governor was removed first and placed atop a thin sheet-covered mattress on the upper surface of one of the hospital's standard two-tiered, four-wheeled stretcher carts and taken directly to ground floor trauma room number two. In the trauma room the Governor was not removed from the cart but was completely unclothed and covered with a sheet. Nurse Ruth Standridge did not "notice any object in Governor Connally's clothing," did not "notice a bullet specifically" (VI 117). Nurse's aide Rosa Majors "took the money out of his pants" (VI 117). She was not asked to testify. Nor were orderly David Sanders and Dr. Fucishier who assisted in undressing the Governor.

Fifteen or twenty minutes after the Governor's arrival

in trauma room two and after he had been given emergency treatment, as nurse Standridge and the doctors who arrived to care for Connally were pushing the stretcher cart some 50 feet through the Obstetrics and Gynecology section to the elevator to take him to Surgery two floors above, nurse Standridge left to retrieve the Governor's clothes. She missed the elevator and gave the clothes to Cliff Carter of the Governor's "party" (VI 117-118).

Connally arrived outside operating room five, nurse Jane Webster testified, without his clothes. "They were on the bottom of the cart in a paper sack" (VI 121). The Governor was transferred "onto an operating table," his clothes were removed from the stretcher cart and placed "in the hallway by the operating table" (VI 121). The apparent contradiction in the testimony of nurses Standridge and Webster was not resolved; the Report makes no reference to their testimony.

Nurse Webster moved the stretcher about 75 feet back toward the elevator. As orderly R. Jimison watched, she "rolled the sheets up on the stretcher into a small bundle ... one inside the other ..." She did not move the mattress (VI 122). Orderly Jimison pushed the cart onto the elevator for return to the emergency rooms below. He "never noticed" any bullet "at all" (VI 127). He knew no other stretchers were placed on the elevator while he was on duty; he went off duty at 3:30 P.M.

In the chief engineer's office, senior engineer Barrell Tomlinson received a telephone call "around 1 o'clock" requesting "someone to operate the elevator." He responded and on the ground floor removed a stretcher with sheets on it. He placed

the stretcher "over against the south wall" very close to "a stretcher about 2 feet from the wall already there "(VI 130, Tomlinson Exhibit 2). "Later," he observed an interne or doctor move a stretcher away from the wall in passing. After answering "one or two calls" for the elevator, Tomlinson pushed the displaced stretcher back against the wall. The stretcher "bumped the wall and a spent cartridge or bullet rolled out that apparently had been lodged under the edge of the mat" (VI 130).

Tomlinson was not certain from which stretcher cart the bullet fell. Insistent questioning by Commission Assistant Counsel Arlen Specter failed to fix the point but apparently irritated the witness who burst out "... (interrupting). Here's the deal - I rolled that thing off, we got a call, and went to second floor, picked the man up and brought him down... He told me to hold for him, he had to get right back to the operating room ... So I held, and the minute he hit there, we took off for the second floor and I came back to the ground. Now I don't know how many people went through that - I don't know how many people hit them - I don't know anything about what could have happened to them in between the time I was gone, and I made several trips before I discovered the bullet on the end of it there" (VI 132-133). Where was the bullet discovered? Falling to the floor or on a stretcher? On or from which stretcher? How did the Commission come to the conclusion "the bullet came from the Governor's stretcher "(R81)? "That conclusion" the Report continues, "is buttressed by evidence which

eliminated President Kennedy's stretcher as a source of the bullet" (R81). The reasoning may appear persuasive; is it "hard" evidence? Can elimination of one possibility establish the reality of another? Can logic take the place of fact as proof? If the bullet was not conveyed in the Governor's clothing and ensconced therefrom in the stretcher on which he was borne to trauma and operating rooms, how was it transported into Parkland Hospital? By what other accidental or purposeful means? If intentionally, by whom and for what purpose? Why was this link in the chain of "hard" evidence ignored by the Commission? Why was not the problem noted in the Report?

In sum, bullet Exhibit 399, the Commission found 1) issued with a muzzle velocity of approximately 2160 feet per second (R582) from Mannluher-Carcano #C2766 in the sixth-floor southeast corner window of the Texas School Book Depository at about 12:30 pm, CST, on Nov. 22, 1963; 2) traveled northward and downward at an angle of almost 21 degrees (R106) for a distance of 175 to 190 feet (R105); 3) struck the back of President Kennedy's jacket 5 3/8 inches below the top of the collar 1 3/4 inches to the right of the center back seam; 4) moved upward to enter his back 5 1/2 inches below the tip of the right mastoid process and the same distance to the left of the tip of the right shoulder joint; 5) traversed his neck from right toward the left and at a downward angle of "17° 43' 30'" (R106), missing all bony and vital structures, passing between the strap muscles, emerging intact and nicking the left lower portion of the necktie knot (R3); 6) "began to yaw in the air

between the President and the Governor" (R109); 7) struck the Governor who, sitting on the jump seat directly in front of the President, heard and recognized a rifle shot, "instinctively turned to his right," then started to "look back over his left shoulder" and "felt something strike him in the back" (R49); 8) entered the Governor's back "just medial to the axillary fold or the crease of the armpit" (IV 104), making a "roughly elliptical ... small wound" (IV 104) approximately "three centimeters in its longest diameter" (XVII, 16), which was also a "large wound" (R109, 585), traversed the chest downward at an angle of about 27° along the right fifth rib, shattering a portion of it, emerged below the right nipple, penetrated the back of the right wrist, depositing metallic fragments in the wrist, emerged virtually intact from the underside of the wrist, entered the inner side of the left thigh and fell out; 9) was conveyed in an undetermined manner from the Presidential limousine to the stretcher on which the Governor was carried into trauma room 2 in Parkland Hospital, remained on the stretcher while Connally was undressed, given emergency treatment, carried to, in and from the elevator, wheeled to the operating room and transferred to an operating table, was not dislodge while the stretcher sheets were rolled up and the stretcher was returned to the ground floor, and was discovered accidentally when the stretcher was pushed against a wall.

If, despite ambiguity and inherent contradictions, each of the chapters in the epic of bullet Exhibit 399 is accepted at face value as possible or probable, even as "hard" evidence,

can the entire sequence, taken as a whole, be considered "hard" evidence, as probable or even as possible? Was there ever such a bullet in fact or fancy? What must be concluded about a hypothesis which leads via "hard" evidence through improbability to absurdity? Does not the Commission schema of three shots-three bullets annihilate itself? What inferences should be made from its suicide? Were not more than three shots fired? Who fired them? If Oswald was a sniper who were his collaborators? If Oswald was not the rifleman in the window who was or were the gunmen? Where should they be sought? What was Oswald's role in the deadly drama? Was he a conscious or unknowing accessory?

The Assassin's Target: In rejecting the possibility the rifleman in the window was aiming, not at Kennedy, but at Connally, the Commission noted the Governor could have been shot "as the car approached the Depository or as it was making the turn" from Houston "onto Elm Street" (R387). Mr. Roy S. Truly, Superintendent of the Texas School Book Depository, went to lunch at "possibly 12:15" on Nov. 22, 1963, stood on "the bottom steps a few minutes" and then "walked out in the line of spectators on the side of Elm Street" (III 218) to watch the motorcade pass. He observed the President's car coming ^{north} south along Houston Street "at an average speed of 10 or 15 miles an hour. It wasn't that much because they were getting ready to turn" west into Elm Street. "And the driver of the Presidential car swung out too far to the right" toward Truly and the Depository. "And he slowed down perceptibly and pulled back to the left to

get over into the middle lane ... he had to almost stop, to pull over to the left" (III 220). Other witnesses made similar observations.

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Commission Exhibit 875 comprises an "Album of photographs taken by the Secret Service at the scene of the Assassination from the sixth floor of the Texas School Book Depository Building on December 5, 1963" (XVII XXIV, 873-895). The photographs occupy the upper halves of the pages on which they are reproduced. They record the movement of a single car, accompanied by police officers on motorcycle and foot, as with top down and a man and woman in the rear seats occupied by President and Mrs. Kennedy, it retraces the turn of the Presidential limousine on Nov. 22 from Main Street north onto Houston Street (873), its progress north on Houston toward the Depository (874-876), the turn west onto Elm Street in front of the Depository (877-878), and its movement away from the Depository west along Elm Street to the locus of the assassination (879-895).

Below each photograph is a shot of the car in the reproduction above as seen through a rifle scope with the cross hairs centered on the target in the back seat. On page 873, as the car is turning onto Houston Street a block away from the camera, the cross hairs are centered at head level between the back seat occupants. On pages 874-876, as the car approaches the Depository, the target grows larger and the cross hairs are centered on the front of the Presidential substitute's skull. Page 877 shows the car beginning the turn onto Elm Street; the Presidential substitute is in full view from head almost to his

knees, the cross hairs are centered on the front of his head. On page 878 the car has turned and is directly below the camera; the target is largest of all the shots; the cross hairs are centered on the right side of his head. Beginning with page 879, as the car moves away from the camera, the target becomes smaller. On pages 879-881 the cross hairs are centered on the back of the skull. Tree foliage obscures the occupants of the car on pages 882-883. The cross hairs are again centered on the back of the head on page 884. On pages 885-887 they are centered on the back of the head of Mrs. Kennedy's substitute, on pages 888-889, between the occupant's of the rear seat; on 890, on the Presidential substitute's head; on 891, between the occupants; and on 892-895 on the Presidential substitute's head.

True, the sighting was done during a reenactment. The results are not "hard" evidence. They suggest rather than prove. Do they not indicate, however, that the target approaching the Depository in a straight line and growing larger as it came closer, was, or should have been, easier to hit than the discontinuous, receding target, diminishing in size, and moving on a downhill grade of 3°9' (R106) as it curved first southwest, then northwest? Was not the rifleman's best opportunity the moment in destiny when the President's car turned on to Elm Street and almost stood motionless directly below him? If, in the Commission's view, that was a good opportunity for the gunman to shoot Connally why was it not also a good chance to shoot Kennedy? Why did the sniper wait until his best chance was gone? Why did he choose a less favorable opportunity?

Was his choice deliberate? "Below the southeast corner window in the sixth floor was a large carton of books measuring approximately 18X12X14... Atop this carton was a small carton marked 'Rolling Readers'... In ^{front of} this small carton and resting partially on the windowsill was another small 'Rolling Readers' carton... The boxes in the window appeared to have been arranged as a convenient gun rest" (R140). Commission Exhibit 1301 is a photograph "showing arrangement of cartons shortly after shots were fired" (R138). All three cartons are angled, the photograph shows, so that a line drawn across the top two from back to front would run from the interior of the Depository toward the area where Kennedy and Connally were hit.

What consideration would induce or compel an assassin embarked on the hazardous venture of murdering the head of the most powerful state in the world, to forego his best opportunity to shoot him and select a more difficult chance of success? Could it have been obedience to a plan providing greater assurance of success than a solo effort? Could it have been the necessity to wait until his quarry was positioned between himself and another or other gunmen? Was it the need to coordinate his effort with his or theirs in an ambush by enfilade? It is speculation, but speculation prompted by the "hard" evidence. Why didn't the Commission investigate the implications of the evidence?

Technique of the Assassination: Three points established by the "hard" evidence are significantly plain-- 1) President Kennedy was killed by rifle fire; 2) the sniper or snipers

fired from ambush; and 3) planned on escaping. Use of a rifle to kill a President is unique in American history. Also unique is firing at a Presidential target from ambush. Only Booth among previous killers of American presidents made an effort to escape. Unprecedented is the total absence of avowed motive for the murder of President Kennedy.

Assassination of presidents and other public officials by rifle fire from ambush may be unique in our history, but murder by gun fire has become a fact of contemporary experience in the South. William Moore undertook to walk on the open road from Alabama to Mississippi in solitary protest against oppression of his black skinned fellow countrymen and was gunned down in daylight on April 24, 1963 in Georgia by a concealed rifleman who escaped. Medger Evers, a prominent official of the NAACP in Mississippi, was ambushed at night outside his home in Jackson on June 12, 1963 by a hidden sniper who escaped. President Kennedy, who supported and aided the struggle for civil rights, met death by rifle fire in the street at midday in Dallas on Nov. 22, 1963; if Oswald was the lone assassin he escaped and was apprehended later; if he was one of two or more assassins, the others escaped.

Were these three murders isolated occurrences? Are their proximity in time and common political geography without significance, mere coincidences? Can the identity of their modus operandi be dismissed as another insignificant coincidence? Were the common attitude of the victims toward civil rights and their diverse activity in behalf of the Negroes' cause yet another

meaningless coincidence? Are so many coincidences also a coincidence without meaning?

Assassination by rifle fire from ambush is first cousin to murder by shotgun from speeding cars. Both are kin to sneak bombing of homes and churches. Even without indictment and trial of the perpetrators the world has had little difficulty in recognizing these terroristic tactics as retaliation by desperate fear-and-hate filled men in defense of the crumbling political power, vanishing social privilege, and threatened economic domination of the masters of the Deep South against the mounting thrust of Negroes demanding political freedom and social change. When President Kennedy, who by word and deed incurred the venomous hatred of the racists, visited Dallas he was greeted by leaflets and an ad stigmatizing him as a traitor. Can his assassination be separated from the boiling political and social milieu in which it occurred? Was there no data, no clue in the approximately 30,000 pages of reports received by the Commission from the FBI and Secret Service (R111), enabling it to place his murder in context?

The Commission was aware Oswald avowed himself a Marxist (R610,739), but not a Communist (R629) and not a malcontent^(R627). It knew he bore the President no malice (R387-415), approved his family (R627), and thought well of his "active role in the area of civil rights" (R415). The Commission found no evidence linking Oswald with the virulent right. It assayed the stupendous mass of data at its disposal, including the minutiae of his life from the age of 2½ years but was unable to "make any

definitive determination" (R22) of his motives for the assassination. Why didn't it search the hate-Negroes, impeach-Warren, hate-Kennedy movement for the motive and source of the assassination? Why didn't it assume, at least as a working hypothesis, that the embittered bigots defending their obsolescent power, status, and privileges with fist and club, gun and bomb, were the authors of the dreadful deed which struck down the President of the United States? Did the presence on the Commission of Senator Russell of Georgia and Representative Boggs of Louisiana preclude that approach? Did reasons of state, considerations of national policy forbid it?

Did the Commission "conduct a thorough and independent investigation?" Did it investigate "all assertions... relating to a possible conspiracy" (Rx)? "The ghost of conspiracy still walks" (Macdonald, E128).

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