

January 5, 1989

Harold,

Here is a copy of a memo which I sent to every member of HSCA. Will they read it? Who knows. We have to try.

I would like to know the details of the matter of discrepancies in the weight and/or numbering of fragments given Dr. Guinn. Do you have anything detailed on this? What about Dodd's questioning of Blakey the other day about fragments from the limousine which did not spectrographically match? Blakey never gave him an answer, you know.

There is no charge for the JFK slides or the pictures on the MLK shooting. But do you happen to have an old copy of OSWALD IN NEW ORLEANS around? I would appreciate one (in any condition). Can't find a copy anywhere.

Wallace Milam

January 4, 1978

Dear fellow Kennedy assassination researcher,

This memo was sent to each member of the Kennedy subcommittee of the ESCA on the above date. Members Stokes and Fauntroy also were sent copies. Copies are being sent to several researchers.

We must continue to work to clear up the JFK assassination. In truth, the investigation (by us) is just now entering a new phase. It appears to me that some of the major matters before us are:

- \* further testing of the motorcycle tape to find the other shots from other areas, which must be there
- \* proving that Oswald fired no shots but was a patsy
- \* impeaching the validity of the medical evidence, which we know to be lacking in authenticity. This relates to..
- \* proving that the shot from the knoll hit the President.
- \* uncovering the cover-up, which deliberately framed Oswald, especially the roles played by Warren Commission, Dallas Police, CIA, Secret Service, and certain of the media (Time-Life, CBS, for example).

Any comments on this memo may be directed to:

Wallace Milam (901) 285-8400  
#30 Troy Road Apts.  
Dyersburg, Tenn. 38024

January 3, 1979

Dear Sir:

I wish to thank you for your service on the House Select Committee on Assassinations. I have been an active student of the Kennedy assassination since 1966 and have had a great deal of contact with your committee, notably in the area of the wounds and the medical evidence. While I do not agree with many of the findings of the committee, I do appreciate your service and the large amount of new information which your committee will make available to the group of private critics around the world.

The purpose of this letter is to call your attention to certain facts which I believe should be made publicly known. I believe that you may not be aware of the existence of some of this information and the logical inferences to be drawn from it. The details of this information is contained in the accompanying memorandum. I ask you to examine it closely.

The memorandum contains evidence that:

- (1) There was indeed a shot from the grassy knoll. (Evidence for this is overwhelming, even without the acoustics evidence. I am not certain that you have been told the full extent of this evidence.)
- (2) The shot from the knoll did not miss, but struck Kennedy in the head, inflicting the fatal wound.
- (3) Oswald was not on the sixth floor of the TSBP and did not fire any shots. (Your committee's own eyewitness and photographic evidence makes this plain.)

The accompanying memorandum provides details concerning these 3 allegations. In addition, I wish to make the following observations:

- (4) The handling of the medical evidence in this case was crucial and unsatisfactory. Only this evidence precludes a fatal shot from the knoll. The committee was aware of the controversial nature of the medical evidence, but allowed Dr. Humes to testify without cross-examination by a single member of the committee, and with only the most perfunctory probing by Mr. Cornwell.
- (5) Evidence developed in committee indicates that the Dallas Police may have assisted Ruby into the basement to kill Oswald. How can your committee trust their other areas of investigation, including their reconstruction of the scene at the sixth floor of the TSBP?
- (6) The plan to turn unfinished matters over to the Justice Department is highly unsatisfactory, for it means, in effect, that the FBI will be investigating itself.

- (7) If your committee is truly dedicated to the eventual discovery of the truth in this case, your decision will be to release every document relating to the JFK case from the Archives, along with a list of all documents known to be missing. Judge Griffin has seen the error of the Warren Commission's secrecy, and has called for such a total release.

The private researchers with whom I have worked and will continue to work feel that now we are ready to begin the investigation. We have proof of conspiracy, now we will dig for the remainder of the truth. It is unfortunate that the acoustics evidence could not have been developed by your committee in the fourth or fifth week of work, leaving time to look more diligently into the details of the conspiracy.

I realize that you have been enmeshed in this matter for two years now, and that you may well wish to be through with it, but I ask you to read carefully this memorandum. It has been carefully prepared, and it has some points to make. Thank you again for your efforts.

Sincerely yours,

*Wallace Milan*

Wallace Milan



**THIRD SHOT FROM THE KNOLL:  
IT IS REAL, AND IT DID NOT MISS**

Introduction:

Acoustics experts at Bolt, Beranek and Newman of Boston analyzed a tape-recording made when a Dallas motorcycle policeman activated his microphone switch during the assassination of President Kennedy. Comparison of sound patterns on this tape with sound patterns produced by tests in Dealey Plaza in September, 1978, led Bolt, Beranek and Newman to conclude that there were four shots fired—3 from the Texas School Book Depository, and one from the right front (the "grassy knoll"). Bolt, Beranek and Newman concluded that the existence of the shot from the grassy knoll—the third in the sequence—was a "50-50 possibility."

Since this presentation to the HSCA, Mark Weiss and Earnest Aschenkasay of Queens College have conducted further, more detailed testing of the tape. This additional research has led the two experts to conclude that the probability of a shot from the grassy knoll is "95 per cent plus." Mr. Weiss stated that, in legal terms, he would consider the existence of the shot to be "beyond a reasonable doubt." Mr. Barger of Bolt, Beranek and Newman concurs in this finding of a "95 per cent plus" probability.

Representative Sawyer of the HSCA revealed the acoustics findings on December 20, and the committee met in special session on December 29 to consider the implications of the acoustics evidence. At this meeting, Weiss, Aschenkasay and Barger reaffirmed their findings of the shot from the knoll.

SINCE THE PUBLIC ANNOUNCEMENT OF THE "95 PER CENT PLUS" CERTAINTY, THE FBI AND THE WIRE SERVICES HAVE ATTACKED THIS ACOUSTICAL EVIDENCE OF CONSPIRACY, AND THE COMMITTEE HAS MADE IT CLEAR THAT IT BELIEVES THAT THIS SHOT FROM THE FRONT MISSED THE PRESIDENT.

THE IMPRESSION BEING CREATED BY INFORMATION SUPPLIED TO THE MEDIA AND TRUS DISSEMINATED TO THE PUBLIC IS THAT EVIDENCE OF A SHOT FROM THE FRONT IS NEW AND UNCORROBORATED, THAT THE ACOUSTICS EVIDENCE IS AN ABERRATION, SOMETHING WHICH CONTRADICTS ALL OTHER FINDINGS.

Purpose

The purpose of this memo is to show (1) that there is ample corroborative evidence of a shot from the knoll and that this evidence was available to the Warren Commission, but was ignored; (2) that evidence indicates that this shot from the front did not miss, but struck the President in the right temple, inflicting the fatal wound; and (3) that the committee has uncovered other factual information which relates to the sixth floor of the TSEB and which shows that Oswald did not fire the shots which emanated from that place.

A. EVIDENCE OF A SHOT FROM THE KNOLL

- (1) Investigative interviews by the FBI, Secret Service, Dallas Sheriff's office, and by newspapermen after the assassination of the President, and by the Warren Commission during its inquiry reveal that at least 45 persons in Dealey Plaza thought some of the shots came from the grassy knoll. Many more shots indicated the knoll as the source than selected the TSEB. (See Chart 1 for a list of witnesses who thought shots came from knoll.)
- (2) At least 4 witnesses saw a man or men on the knoll during the shots, just before the shots or just after. (See Chart 2) Included in their descriptions are two men who were not railroad employees but who were standing together behind the stockade fence, a "commotion" or "flash of light" behind the fence at the time of the shots, a man with a rifle stepping out of sight behind the fence, and a man running across the railroad yards after the shots with something in his hand. One of these witnesses even chased a man escaping behind the fence!

Chart One: Witnesses Who Said Shots Came from Knoll

Victoria Adams	(22 H 632)	Joe Marshall Smith	(22 H 600)
Danny Arce	(22 H 634)	James Tague	(7 H 558)
Mrs. Donald Baker	(22 H 635)	Roy Truly	(24 H 227)
Ochus Campbell	(22 H 638)	Harry Weatherford	(19 H 504)
John Andrew Chism	(24 H 529)	Seymour Weitzman	(24 H 228)
James Crawford	(6 H 174)	Abraham Zapruder	(SS Report, 11-22-63)
Jesse Curry	(4 H 150)	Forrest Serrels	(21 H 548)
Mrs. Avery Davis	(22 H 642)	Jane Berry	(CD 5: 42)
Harold Elkins	(19 H 540)	Judith McCully	(TAG1: 465)
Ronald Fischer	(19 H 475)	Mrs. Roberts Parker	(22 H 667)
Wesley Frazier	(24 H 209)	Lucy Whitaker	(TAG1: 470)
Dorothy Ann Garner	(22 H 648)	Steven Wilson	(24 H 535)
Bobby Wayne Hargis	(6 H 296)	Mary Woodward	(Dallas Morning News, 11-2
Mrs. Peggy Hawkins	(CD 387)	Maggie Brown	(Dallas Morning News, 11-2
Charles Hester	(22 H 341)	Ann Donaldson	(Dallas Morning News, 11-2
Jean Hill	(24 H 212)	Maria Faye Chism	(24 H 205)
S. M. Holland	(24 H 212)	Roger Craig	(19 H 524)
Emmit Hudson	(19 H 481)	I. C. Todd	(19 H 543)
Robert Jackson	(24 H 117)	Paul Landis	(18 H 758)
Mrs. Dolores Kounas	(22 H 659)		
Billy Lovelady	(24 H 214)		
A. J. Millican	(19 H 486)		
Joe Molina	(6 H 373)		
Luke Mooney	(3 H 290)		
Thomas Murphy	(22 H 835)		
Mrs. Gayle Newman	(22 H 842)		
William Newman	(22 H 842)		
Orville Nix	(24 H 539)		
Frank Reilly	(6 H 231)		
Arnold Rowland	(24 H 224)		
William Shelley	(24 H 226)		
Edgar Smith	(22 H 604)		

Chart Two: Witnesses Who Saw Activity on Knoll

- (1) Lee Bowers--2 strange men standing behind fence; a "flash of light" or "commotion" there at time of shots (6 H 287-288)
- (2) Jean Hill--chased man in dark coat and had in railroad yards (6 H 210-213)
- (3) J. C. Price--saw man run across railroad yards after shots, something in his hand (19 H 492)
- (4) Gary Campbell--saw man pull rifle down and step behind fence after shots (interview with Perm Jones, Jr.)



- (3) Three Dallas law enforcement officials encountered men whom they thought to be Secret Service agents in the railroad yards behind the fence after the shots. (See Chart 3) At least one of these men carried Secret Service credentials. According to the Secret Service, no agents were left in Dealey Plaza, and the first agent did not return to the scene until almost thirty minutes after the assassination.
- (4) Photographs clearly show an unidentified man on the knoll at the time of the shots: (See Chart 4)
- (a) The color slide known as Willis #5 reveals a man in dark clothing standing on the knoll behind a 4-foot concrete retaining wall just 5 seconds before the fatal head shot. According to the acoustical evidence, the shot from the knoll originated within 8 feet of this area. Photoanalysts employed by the HSCA have confirmed that this is a human figure and that he "possibly" is holding a "long, slender object."
  - (b) The slide taken by Hugh Betzner just before the shots also shows this figure.
  - (c) A number of frames of the Zapruder film, beginning with Z413, show the head of this man seconds after the shots. It might be noted here that when critic Robert Groden insisted that this was a human figure, the Rockefeller Commission (1975) ridiculed his finding, calling the figure "shadows" and "leaves" and then distorting Groden's testimony. Now the HSCA photoanalysts have confirmed that this is a human figure.
- (5) Seven witnesses standing on the railroad overpass and looking up Elm Street toward the motorcade saw a puff of smoke emerge from the stockade fence atop the knoll. (See Chart 5)
- (6) Some of these men from the overpass ran behind the knoll just after the shots and found mud on the base of the stockade fence, cigarette butts, and footprints in the mud--in precisely the same area where two men had been seen earlier and where the smoke had appeared. (See Chart 6)
- (7) Two witnesses--both patrolmen--smelled gunpowder behind the fence after the shots, and Senator Yarbrough picked up the smell of gunpowder on the car as he passed the knoll. (See Chart 7). It should be noted that the wind was gusting from the southwest and would not have blown gunpowder from the TSEB toward the knoll.
- (8) Several witnesses, including Secret Service agents riding in the motorcade described the double nature of the last shots--sounds very close together, too close to have been fired from one rifle, but consistent with the shot spacing of the acoustic evidence. (See Chart 8)

#### B. EVIDENCE THAT THE THIRD SHOT (FROM THE KNOLL) DID NOT MISS

- (1) There are many controversies about the Zapruder film, what it shows and what it does not show, but on-site measurements and film observation yield at least two indisputable facts:
- (a) an oak tree blocked the view of the Presidential limousine from the 6th floor window of the TSEB from frames Z166 to Z207.
  - (b) a shot struck the President in the head at Z312 or 313.

Chart Three: Dallas Policemen Who Met "Secret Service Men Behind Fence

- |                                  |           |
|----------------------------------|-----------|
| (1) Patrolman Joe Marshall Smith | (7 H 535) |
| (2) Sgt. D. V. Barksess          | (6 H 312) |
| (3) Constable Seymour Weitzman   | (7 H 107) |

Chart Four: Photographs Showing Figure on Knoll During Shooting

- (1) Willis slide #5--man behind concrete wall seconds before head shot; "possibly" has a "long, slender object" in hands.
  - (2) Betzner slide--same man as in Willis #5, in same position.
  - (3) Zapruder frames 413-422--head of same man behind concrete wall, just after shot
- (In addition, some photoanalysts believe that the Moorman photograph show a man or men at the corner of the stockade fence atop the knoll.)

Chart Five: Witnesses Who Saw Smoke Coming from Top of Knoll

- |                    |                             |
|--------------------|-----------------------------|
| (1) James Simmons  | (22 H 833)                  |
| (2) Austin Miller  | (19 H 485)                  |
| (3) S. M. Holland  | (20 H 163)                  |
| (4) Clemon Johnson | (22 H 836)                  |
| (5) Richard Dodd   | (interview, March 24, 1966) |
| (6) Walter Winbern | (interview, May 5, 1966)    |
| (7) Thomas Murphy  | (interview, May 6, 1966)    |

Chart Six: Witnesses Who Found Physical Traces Atop Knoll

- |                      |                             |
|----------------------|-----------------------------|
| (1) S. M. Holland    | (6 H 245)                   |
| (2) James Simmons    | (interview, March 28, 1966) |
| (3) Richard Dodd     | (interview, March 24, 1966) |
| (4) Seymour Weitzman | (7 H 107)                   |

Chart Seven: Witnesses Who Smelled Gunpowder In Area of Knoll

- (1) Patrolman Joe Marshall Smith (CD 205)
- (2) Patrolman Earle Brown (6 H 233)
- (3) Senator Ralph Yarbrough, riding in motorcade (3rd car) "could smell powder on car nearly all the way here (the hospital)." --Texas Observer, December 13, 1963.

Chart Eight: Witnesses Who Said Final Shots Were Almost Simultaneous

- (1) S. M. Holland (6 H 207)
- (2) George Hickey, SS (18H 762)
- (3) Roy Kellerman, SS (2 H 76)
- (4) William Greer, SS (2 H 118)
- (5) Clint Hill, SS (2 H 144)



- (2) The current reconstruction of the shooting by the HSCA (See Chart 9) is that the first shot (from TSEB) missed, second shot (from TSEB) struck both Kennedy and Connally (single-bullet theory). The third shot (from knoll) missed the car and its occupants, and the fourth shot (from TSEB) struck Kennedy in the head.
- (3) The spacing and timing of shots on the motorcycle tape is shown in Chart 10. Note the extremely short interval (1.6 seconds) between shots 1 and 2, said to have been fired from the same rifle from the TSEB.
- (4) Problems arise when an attempt is made to correlate the microphone tape impulses with the Zapruder film (Chart 11), on the assumption that the head shot at Z313 is the 4th shot.\* Chief among these problems are:
- it requires that the first shot at Z166, fired just as the car slid behind the branches of the tree and while the rear of the car was still visible, miss completely from a very close range (138 feet). The only evidence for a shot at this time is an alleged "startle reaction" from Kennedy and Connally inside the limousine (and this actually begins before Z166), a matter of subjective interpretation.
  - It requires a first impact point (Z196) at a time when the car is blocked by the oak tree. This reconstruction would have a shot fired blindly through the branches of the tree strike both the President and Governor Connally. This reconstruction is even more implausible than that presented by the Warren Commission. The "single bullet theory" has long been considered the weakest part of their case, but the HSCA account of this shot requires not only that the bullet strike both men, but that it was fired with the tree in the path! Consider the logic: an assassin fires (Z166) with an open shot at close range, misses, and then, in the briefest possible time (1.6 seconds) fires again, even though the tree blocks his sight and—by waiting less than two-thirds of a second—he could have an open shot.
  - This reconstruction requires an even longer period of delayed reaction for Connally than did the Warren Commission, which placed his wounding at Z210.
  - It requires that a shot fired at close range (about 80 feet) from the knoll totally missed the car, its occupants, any spectators. No trace of damage from a bullet, or of fragments from a bullet have ever been found along any trajectory such a shot could have followed.
  - This reconstruction does not explain the wounding of James Tague or the scarring of the curb of Main Street near Tague. It is not possible that a bullet fired and missing at Z166 could strike anywhere near this point. It is not likely that any fragment from the head shot could have traveled this distance (90 yards) and struck with the impact of chipping and marking a curb. (See Dealey Plaza diagram)

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Time lapse due to slowness of sound waves is not a factor here. The acoustics firm had adjusted for this, calculating the sounds as they would have been perceived in the limousine.

Chart Nine: HSCA Reconstruction of Shots

<u>no.</u>	<u>source</u>	<u>result</u>
1	6th floor, TSBD	missed car; not accounted for
2	6th floor, TSBD	struck Kennedy and Connally; "single-bullet theory"
3	grassy knoll	missed car; not accounted for
4	6th floor, TSBD	struck Kennedy in head; fatal shot

Chart Ten: Spacing of Shots: Motorcycle Tape

<u>no.</u>	<u>source</u>	<u>time interval</u>	<u>Z-frame interval</u>	<u>total time</u>
1	6th floor, TSBD	0.00 sec.	—	0.00 sec.
2	6th floor, TSBD	1.60	30	1.60
3	grassy knoll	5.50	100	7.10
4	6th floor, TSBD	0.82	16	7.92

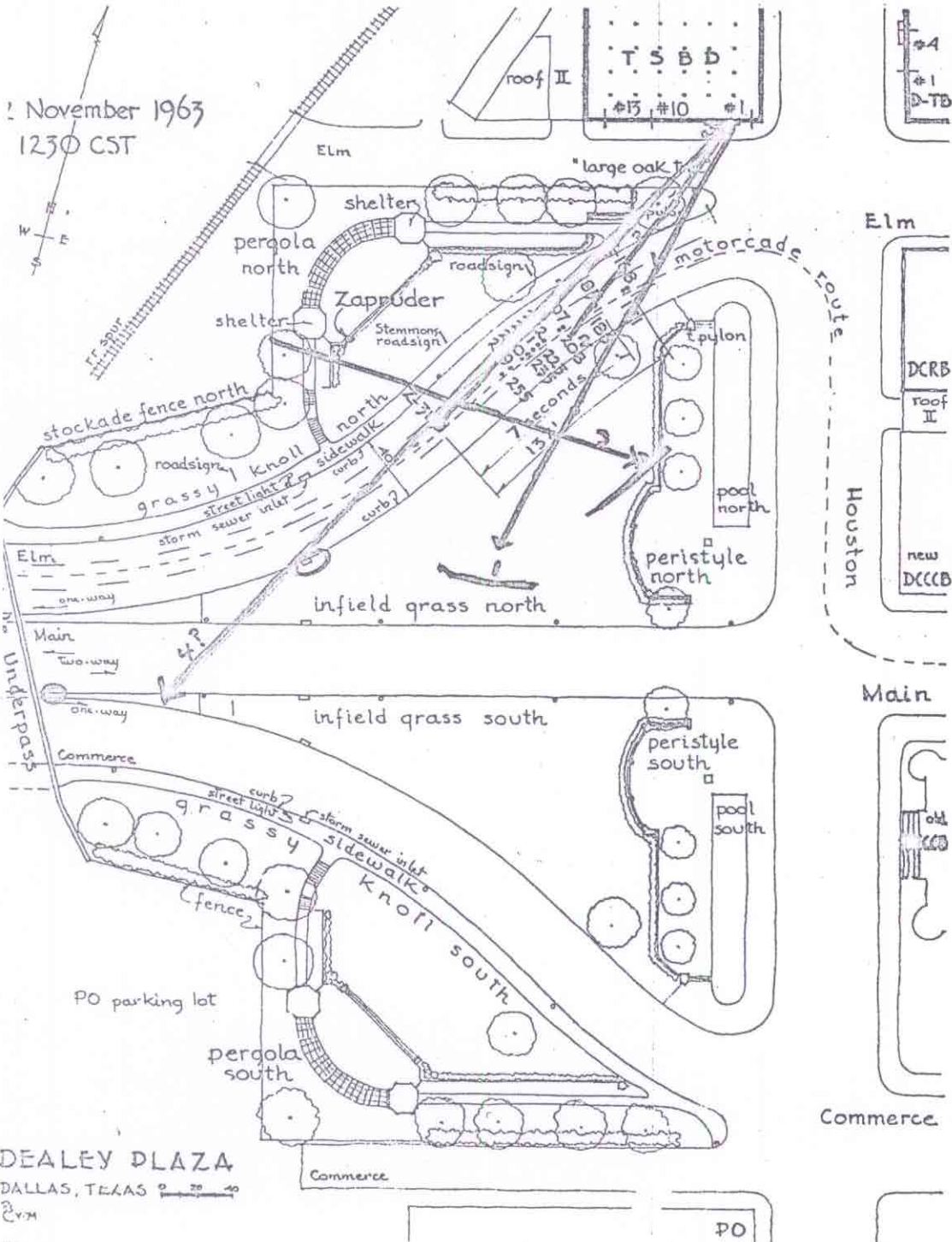
Chart Eleven: Correlation: Z-film and Motorcycle Tape (assuming 3rd shot missed)

<u>no.</u>	<u>source</u>	<u>frame</u>	<u>result</u>	<u>comments</u>
1	6th floor, TSBD	Z166	missed car/not accounted for	car going out of view behind tree
2	6th floor, TSBD	Z196	hit JFK, Connally ("single-bullet theory")	tree blocks window
3	grassy knoll	Z296	missed car/not accounted for	point-blank (75-80 feet)
4	6th floor, TSBD	Z312	hit JFK in back of head	fatal shot

Chart Twelve: Correlation: Z-film and Motorcycle Tape (assuming 3rd shot hit)

<u>No.</u>	<u>source</u>	<u>frame</u>	<u>result</u>	<u>comments</u>
1	6th floor, TSBD	Z182	missed car/not accounted for	tree blocks window
2	6th floor, TSBD	Z212	hit JFK, Connally ("single-bullet theory")	view no longer blocked; car just coming from behind tree
3	grassy knoll	Z312	hits JFK in right temple	fatal shot
4	6th floor, TSBD	Z327	misses car, strikes street	could account for the Walthers object and the Tague wounding

Fig. 2



DEALEY PLAZA  
DALLAS, TEXAS

Figure



# B A S E P L A T



- (5) However, if the third shot from the knoll struck the President at Z312-313, and the 4th shot, from the TSBP is presumed to have missed just after (Z327), the correlation between film and tape becomes more acceptable. (See Chart 12)
- (a) The first shot (Z182) would have been fired while the oak tree blocked the view from window. It missed.
  - (b) The second shot (Z212) would have been fired after car emerged from behind the tree, striking both men. Kennedy is clearly reacting at this time; Connally's reactions are subject to much controversy.
  - (c) The third shot from the knoll (Z312-313) would have struck the President in the head, inflicting the fatal wound.
  - (d) The fourth shot, fired at Z327 from behind, would have missed the car and continued down Elm Street.
  - (e) Notice that this reconstruction eliminates many problems: the idea of a "blind shot" striking both men, the absurdity of a point-blank miss from the knoll with the car virtually stationary, and the absence of any evidence of a missed shot from the knoll.
  - (f) In addition, the concept of a missed shot at Z327 could help to explain two puzzling matters: the wounding of James Tague and the mysterious discovery and confiscation of some object near a manhole cover on the south side of Elm Street.
    - (i) Tague was struck in the face by a bullet fragment or a chipped piece of concrete during the shooting (see Dealey Plaza diagram). A bullet mark was found on the curb of Main Street near where he struck. The metallic makeup of the bullet made it likely that it had struck another object first.
    - (ii) Buddy Walthers and an unidentified man are seen to find something in the grass along Elm Street (see Dealey Plaza diagram) nine minutes after the shots. Photos by Jim Murray record these events, including the pocketing of the object by the unidentified man. Walthers denied that any object was found.
    - (iii) Clearly a first shot miss from the TSBP at Z166 could not account for these markings. (See Dealey Plaza diagram)
    - (iv) Clearly, no shot from the knoll could have caused these markings. (See Dealey Plaza diagram)
    - (v) However, if a line is drawn from the TSBP window through the position of the limousine at Z327 in the assumption of a 4th shot miss from there, it lines up perfectly with the Walthers position and comes very near the curb mark and James Tague. (See Dealey Plaza diagram) It might seem reasonable that a gunman aiming for another shot from the TSBP had the head on the President's head thrown off by the jolting hit from the knoll and, firing instinctively, missed over the car 0.82 seconds later.
  - (g) The movement of the President's head after being struck at Z312-313 has long been a matter of controversy, and expert testimony that it is consistent with a shot from the rear has never proven persuasive when matched against what the eye sees in the Zapruder film. It would be difficult to tell an observer of the film that a shot came from the right front along about the time of the head shot, show him the film, and then convince him that the shot missed.
  - (h) The Newmans, witnesses standing near the President on the north curb of Elm Street, said the shot struck the President in the right temple

- (i) The violent backward movement of blood and brains from the head wound is shown by the splattering of motorcycle patrolmen Hargis and Martin to the left and rear of the car at the time of the shots.
  - (j) Whether or not the bone fragment (Harper fragment) recovered in the grass was occipital bone (as first reported) or parietal bone (as now claimed), the fact remains that it did fly backward and to the left from the head, as did other fragments, such as the ones seen by Charles Brehm and found by Sencour Weitzman. Though it is not possible to pinpoint precisely where these were seen, it is amply clear that they were behind the car.
- (5) The major objection to a third shot from the knoll striking the President in the head is, of course, the X-rays and photographs allegedly taken at the time of autopsy. These clearly indicate that two shots struck the President from the rear. However, it should be noted here that there is no conflict between the concept of a shot from the knoll hitting and the observations made by the Parkland doctors before the body was illegally taken from Dallas for the autopsy. It should further be noted that there has been much controversy over the authenticity of the medical evidence:
- (a) Materials are missing (including the brain).
  - (b) For some years, persons were not allowed to see the remaining materials.
  - (c) Those who examined the photographs and X-rays have reported conflicting accounts; no two observers see the same thing.
  - (d) Serious conflicts, as yet unresolved, exist between observations of the Parkland doctors and the X-rays and photographs.
  - (e) Serious conflicts, as yet unresolved, exist between observations made by FBI agents attending the autopsy and the autopsy report.
  - (f) Serious conflicts, as yet unresolved, exist between the autopsy report and the current X-rays and photographs.
- (6) The HSCA did not deal honestly with the medical questions, especially the questioning of Dr. Hamez, but instead rushed to confirm the hypothesis that all shots came from the rear, because at that time the committee was working on the theory that all shots came from the TSB. Would knowledge that a shot did come from point-blank range at the right-front have changed the way the medical investigation was conducted?
- (7) The HSCA has used this questionable medical evidence as the starting point of its reconstruction of the shooting. To accept a third shot hit from the grassy knoll at Z312-313 would force the committee to face the fact that someone within the U. S. government tampered with the medical evidence, which would be evidence of a massive cover-up within that government.
- (8) In spite of the impressive amount of evidence for a shot from the knoll, the Warren Commission never seriously investigated the possibility. The manner in which it avoided facing the issue clearly indicates that it deliberately avoided the matter. In truth, the Commission's organization never permitted it. There were six major areas of investigation designated; the problem of shots from the front would have fallen between Area I: The Basic Facts and Area II: The Identity of the Assassin. In March of 1964, Earl Warren asked a Commission counsel to clear up the rumor that shots had been fired from the overpass. Here we see the true deceptive nature of the inquiry, and the desire to avoid the large body of evidence pointing to a shot from the knoll; for the railroad workers who assured the investigators that no shots came from the overpass where they were standing also told them of puffs of smoke they had seen on the knoll. Certainly this should have led them to look for corroborating evidence—of which there was an abundance as we have seen.



And how did the Commission deal with this information? By completely ignoring the knoll and creating a straw man--the charge that the shots came from the bridge (easily disprovable)--and tearing it down. In the section of the Report called "Speculation and Rumors" (pp. 639-640) we find:

Speculation--The shots that killed the President came from the railroad overpass above the triple underpass.

Speculation--The railroad overpass was left unguarded on November 22.

Speculation--There are witnesses who alleged that the shots came from the overpass.

Speculation--A rifle cartridge was recovered from the overpass.

These speculations were easily dismissed, of course. The Report stated that "The Commission does not have knowledge of any witness who saw shots from the overpass," but did not reveal that it had dozens of witnesses who said the shots came from the grassy knoll. It reported that "the 2 policemen and 13 railroad employees who were on the overpass all affirm that no shots came from the overpass," without saying that 7 of these men saw smoke appear on the knoll and that these men had found evidence of men behind the wall just after the shots.

#### C. EVIDENCE THAT OSWALD DID NOT FIRE ANY SHOTS FROM THE BOOK DEPOSITORY

The HSCA has evidence in its possession, some of it developed by its own scientific experts, which proves that Lee Harvey Oswald did not fire any shots at the Presidential limousine:

##### (1) Carolyn Arnold's testimony

- (a) An FBI statement taken on November 26, 1963, by Special Agent Harrison (DL 89-43) states that Mrs. Arnold, a secretary in the TRBD saw a man she thought was Oswald "standing in the hallway between the front door and the double doors leading to the warehouse, located on the first floor." The statement relates that she could not be sure that it was Oswald, and that the time was "a few minutes before 12:15 PM."
- (b) Mrs. Arnold recently told investigative reporter Earl Golz that this FBI report is in serious error, and that she never told the agent those facts. According to Mrs. Arnold, she told the agent:
  - (i) that she saw Oswald on the second floor, in the lunchroom eating lunch (where he is reported to have claimed that he was)
  - (ii) that there was no question of the recognition; she knew Oswald well because he often got change from her
  - (iii) that the time was 12:25 not "a few minutes before 12:15"
- (c) Mrs. Arnold's account is almost certainly correct. A later FBI report (DL 100-10461) on March 18, 1964, by agents Trettis and Robertson, details a second interview with Mrs. Arnold. This interview she read and signed. In it, she states that she left the Book Depository at 12:25, but omits any statement about seeing Oswald previous to leaving the building because of the type of question she was asked, "Did you see Oswald at the time of the shots?", to which she had to answer, "I did not see Oswald at the time President Kennedy was shot." A very sinister possibility presents itself here: Agents Trettis and Robertson must have read her earlier statement, whether it is the one attributed to her or the one which Harrison wrote. The key part of that statement was that she saw Oswald away from the 6th floor just before the assassination. Yet Trettis and Robertson asked her nothing about this. Her estimate of the time at 12:25 conflicted with the earlier



- account, but notice that she signed the statement indicating that she left the Depository at 12:25, but never read or signed the previous statement attributed to her: that she saw Oswald in the docrway and not in the lunchroom.
- (d) That her statement concerning seeing Oswald at 12:25 is almost certainly correct is corroborated by the fact that she does not remember seeing the incident of the ambulance summoned to treat an epileptic seizure at the corner of Houston and Elm. This event took place from 12:22-12:24. That Mrs. Arnold did not see this is evidence that she did not leave the Depository until 12:25.
- (e) The motorcade was scheduled to pass the Depository at 12:25. Did the assassin wait until after that moment to go the sixth floor? And when did he assemble the rifle? And who was the man Howard Brennan swore he saw? Or that Ronald Fischer saw? Or the two men seen by Carelyn Walthers and Arnold Rowland?
- (e) The possibility of misrepresented testimony by the FBI in the case of Mrs. Arnold's experience is a very serious one, and, if true, can lead to only one conclusion: that that agency took steps to frame Oswald. If he was indeed guilty, why was this necessary?
- (2) After the shots
- (a) The first known encounter with Oswald after 12:30 took place at about 1 minute 20 seconds to 1 minute 30 seconds after the shooting on the second floor, inside a vestibule leading to the lunchroom (where Mrs. Arnold says she saw Oswald about six minutes before). Harrison Baker of the Dallas Police and Superintendent Roy Truly of the Book Depository encountered Oswald there, and much speculation has been given to whether or not Oswald could have had time to get to the second floor from the sixth floor after firing shots from there. Secret Service tests in 1964 indicated that he could barely have made it.
- (b) Just after this, approximately 2-3 minutes after the shooting, Mrs. Reid of the Depository staff saw Oswald strolling across the second floor area drinking a soft drink. He is then alleged to have left the building by the front door.
- (c) Photoanalytic work by Dr. Bob Hunt of the ESCA photoanalytic panel indicates that whoever fired the shots from the 6th floor window remained there for some time after the shooting.
- (i) Hunt's analysis of the Dillard photo (taken at approximately 30 seconds after the shots) and of the Powell photo (taken 2-3 minutes after the assassination) showed that "something or someone moved boxes around in that room" in the interval between the two photographs. Hunt described "boxes rising up between other boxes" during this interval.
- (ii) Hunt's analysis has eyewitness support. Fourteen years ago, Mrs. Lillian Mooneyham, watching from the courthouse across the Plaza, saw a man standing behind book cartons in that same window about 4-5 minutes after the shots (24 H 531)
- (d) The person stacking the book cartons and standing behind them cannot have been Lee Harvey Oswald. During the time the photos were taken, he was seen on the second floor by three persons. During the time Mrs. Mooneyham saw her person, Oswald must have been hurrying up Elm Street to catch the bus.

- (e) There certainly is no problem in projecting the idea that one or more persons remained on the 6th floor after the shots and rebuilt the book cartons into a "sniper's nest." The Dallas police did not stop on this floor and search it for over 30 minutes, and the "sniper's nest" was not found until 1:12 P.M.--42 minutes after the shooting. A more significant question would be: who was in a position to know that there was ample time to fire the shots, build the nest, and still escape detection. The answer, obviously, is those in control of events around the Depository: some of the Dallas police.

(3) The Bronson Film

- (a) At this point, analysis of the Bronson film, which allegedly shows two figures on the 6th floor at about seven minutes before the motorcade, is incomplete. If, as suspected, it reveals two figures there, this will be further evidence of a conspiracy to frame Oswald, for Mrs. Arnold places him on the second floor at this time.
- (b) Even without the Bronson film, the testimony of Arnold Rowland and Carolyn Walthers places two men on the upper floor together, one with a gun.

A FINAL NOTE: MORE SHOTS

- (1) It is not usually recognized, but the acoustics evidence is based on correlations between the microphone tape and test firings from two areas only: the knoll and southeast corner of the TSBDD.
- (2) I firmly believe that acoustics correlation should be attempted from at least two other areas: the southwest corner of the TSBDD and the County Records Building on Houston Street.
- (3) The finding of a shot from one of these areas which struck Connally would eliminate the great skepticism over the "single-bullet theory."
- (4) We already know that there was a conspiracy; we have the microphone tape. Why not make the tests total and complete?