## Chapter VIII

The Bullets of Dealey Plaza: Control of Evidence

strongly moved the Special Agents of the Federal Bureau of
Investigation and the staff of the Warren Commission to control
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Official findings held that the lone assassin Lee Harvey
Oswald fired only three shots from the easternmost window of the

sixth floor of the large red brick, seven story Texas School Book
Depository standing on the northeast corner of Dealey Plaza,
wounding and killing President Kennedy and wounding Governor
Connally who rode in the limousine and wounding citizen James

Tague who stood near the triple underpass. Oswald absolutely man thus much be attributed to Oswald. In presumed industrial information of the could not have fired one round more or one round less. The widness of the wind man could white it is not only that precisely defined but also that when I when the More of any rigorously thrust down upon all facts, to the bane of any

dissenting questions.

The Warren Commission found that one of the three bullets missed both men in the car. One inflicted all seven non-fatal wounds on President Kennedy and Governor Connally. While the Commission also said that the missed bullet could have been the first or the second one fired, the iron facts of the single-and may be for the single-and may be for the bullet-theory are such that the first bullet had to have inflicted with without substant as the first bullet had to have inflicted the wounds. And, the third bullet killed Kennedy. Whether the

missed bullet or fragments of the third wounded Tague the and hay all not find not. The official conclusion will not permit any other construction of these-facts.

The FBI and the Secret Service, though, steadfastly believe all three bullets hit either Kennedy or Connally.,,

But for all three federal agencies the existence of a fourth mean they ar Mrulleful Dullet is the certain basis for finding a conspiracy operated to

murder President Kennedy and the official findings are false. And Within the lemman on the segment was that the short had been a company and the little inquiry failed. And if the inquiry failed the inquiry failed the inquiry failed the enormous resources and monies expended were for naught; the the lemman would have the inquiry the reputation of the highest officials of the land a charace; the

venerated FBI low, mean, and incompetent; and four score honorable men and women of the staff—the best—fools and liars and cowards.

When the best shots in the country tried and were unable to duplicate the shooting attributed to Oswald, admitting that there had been a fourth bullet was impossible. It , meant disaster, that there had been anyther rifleman and ipso facto, a conspiracy. " conclusion additional bullets exist; they possess varying degrees of quality require evaluation, but sustain a conclusion authorities refused to rully inquire into the assassination of President Kennedy. A surprising number of witnesses say they saw bullets hit on the turf or bounce off the pavement or curbs. Their testimony or statements, some in full rig, others spare, can be found scattered haphazardly throughout the records and testimony of the Commission or in the oddments of the local press as related by the citizen critics. Regretfully, the federal government did not make a systematic inquiry into witness testimony and we are left with that which slipped through the failure. Many references no doubt lie buried in the unstudied records.

Also, at various times following the assassination ordinary citizens stumbled upon bullets at or near the scene of the crime and possibly related to the murder these you can hold in your hand.

These appeared over the years randomly and serendipitously.

Additionally, two bullets left distinctive marks, one struck the north sidewalk of Elm Street and one struck the Main Street curb wounding James T. Tague alone they are incompatible with the following the three bullets conclusion of the Commission evidence sustaining the three bullets conclusion of the Commission

and the FBI.

Let us first examine the evidence from eyewitnesses for bullets striking outside the car. Several observations come from testimony before the Commission. In Dallas, on July 22, 1964, eight months after the murder, Miss Virgie Rachley appeared before Commission assistant counsel Wesley J. Liebeler in room 301 of the Post Office Building at Bryan and Ervay Streets, Dallas, the office of United States attorney Barefoot Sanders. Liebeler took her eyewitness deposition. A bookkeeper at the Texas School Book Depository Miss Rachley had gone outside the building with several other co-workers to view the motorcade. She stood "just at the edge of Elm Street at the side of the Depository." After Kennedy had passed she heard a shot. Then, she told Liebeler, "I saw a shot or something hit the pavement. . . . you could see the sparks from it . . . "The bullet hit near the curb on the side of the street away from the Depository, in the middle of the leftf Elm Struct, frank behind the car, "near the first sign on the right-hand side of Elm Street."

Then she heard the second shot.

Meant afficials a fourth that the testimony clashed with the physical imperatives imposed upon the Commission's conclusions. Officials attempted to avoid her eyewithess information. As late as June 11 no one in the FBI or from the Commission staff had yet interviewed her. By then the accounting in all the interviewing inflicted the Commission staff had severe problems forcing the wounds and physical constraints of the shooting evidence into the time frame imposed by the Zapruder film whose carefully measured running time acted as a precise/clock\* and yet account for the wounding of

Kennedy and Connally. To have the first shot miss meant the second shot had to inflict the wounds and it simply could not do There were seven nonfatal wounds alone on Kennedy and Connally, there was the fatal shot and there was Tague's wounding. None of those bullets could possible have been the one whose impact Rachley saw and testified to.

Liebeler's diverting and muddled questioning of-her,

consistently confuses her information, making it difficult to

shot was but the like that

follow the part of her testimony dealing with the bouncing shot.

He jumps around, questioning first one point and then another. It with a first one point and then another. It with a first one point and then another. It with a first one point and then another. It with a first one point and then another. It with a first one point and then another. It with a first one point and then another. It with a first one point and then another. It with a first one point and then another. It with a first one point and then another. It with a first one point and then another. It with a first one point and then another. It with a first one point and then another. It with a first one point and then another. It will be conjusted about the first one point and then another. It will be conjusted about the first one point and then another. It will be conjusted about the first one point and then another. It will be conjusted about the first one point and the first one

it on a photograph Liebeler gives her. From the wrangle over the thin? map a reader comes away with the suggestion she is perhaps not clear on what she saw, diminishing her credibility he would be the suggestion she is perhaps not clear on what she saw, diminishing her credibility he would be the suggestion she is perhaps not clear on what she saw, diminishing her credibility he would be the suggestion she is perhaps not clear on what she saw, diminishing her credibility he would be suggestion she is perhaps not clear on what she saw, diminishing her credibility he would be suggestion she is perhaps not clear on what she saw, diminishing her credibility he would be suggestion she is perhaps not clear on what she saw, diminishing her credibility he would be suggested in another she saw the saw is a suggestion she is perhaps not clear on what she saw, diminishing her credibility he would be suggested in another she saw is a suggestion she is perhaps not clear on what she saw, diminishing her credibility he would be suggested in another she saw is a suggestion she is perhaps not clear on what she saw, diminishing her credibility he would be suggested in another she saw is a suggestion she is perhaps not she saw is a suggestion she is perhaps not she saw is a suggestion she is perhaps not she saw is a suggestion she is perhaps not she saw is a suggestion she is perhaps not she saw is a suggestion she is perhaps not she saw is a suggestion she is perhaps not she saw is a suggestion she is perhaps not she saw is a suggestion she is perhaps not she saw is a suggestion she is perhaps not she saw is a suggestion she is perhaps not she saw is a suggestion she saw is a

volumes of the <u>Hearings</u> and <u>Exhibits-volumes</u>) is examined the <u>Liebsley Activity</u> of all the territorian many performs for their their their their transfer of the reason Rachley had difficulty becomes obvious: The photograph the lift it amparted of the following applied, from the opposite that of helique tebelor showed her confused the area she deposed to. It was

underpass looking toward the TSBD, and from far away. The picture has no perspective, does not even show where she stood. It has improper exposure, is fuzzy. It is impossible to locate anything in her testimony with that photograph. And, it is not because Liebeler did not have proper photographs, maps, and the resources to acquire the best-if-he wanted them. He should have. He did confuc and not want them. Liebeler tricked her to obfuscate the evidence she

was witness to and damage her credibility.

On April 8 and 9, 1964, the Commission staff took depositions

Testificate for
from eyewitnesses who had been on the overpass. Two related

seeing bullets hit the pavement.

On April 8 at 2:45 in the afternoon Royce G. Skelton testified in the U.S. attorney's office in Dallas where Assistant Skelton worked-as a mail clerk Consul Joseph Ball deposed him. for the Texas & Louisiana Freight Bureau and had gone to the triple overpass to watch the motorcade. He stood over the right (north) lane of Elm Street and had an excellent view of the During his brief examination Skelton stated that assassination. he sain after the second shot he heard another and saw a bullet "hit in the left front of the President's car on the cement." caused "smoke" or fine debris to rise, which drifted southwest in a line away from the TSBD. He then marked on a diagram Ball marked which furnished where he stood and where he had seen the bullet strike or fine deliver ? and the smoke drift. The Warren Report discussed his testimony:

Royce G. Skelton, who watched the motorcade from the railroad bridge, testified that after two shots "the car came on down close to the Triple Underpass" and an additional shot "hit in the left front of the President's car on the cement." Skelton thought that there had been a total of four shots, either the third or fourth of which hit in the vicinity of the underpass. . . . Examination of this area, however, disclosed no indication that a bullet struck at the locations indicated by Skelton . . .

Skelton's original statement of November 22, 1963, given to the sheriff's department and printed as Decker Exhibit 5323, that he had seen two bullets hit the pavement. "I saw something hit the pavement at the left rear of the car," he said, "then the car got in the right hand lane and I heard two more shots." Then he heard

wet another shot "and saw the bullet hit the pavement. The His statement that he saw the impact to the "rear" of the limoudine is consistent with kach or a test imony.

pavement in c.

The <u>Report</u> dissembles when it says Skelton's mark could not be found. Within a week of the assassination Dallas had repaved Elm Street, covering up any possible evidence of such a hit.

The manipulation of Skelton appears in more striking terms when one examines the diagram he marked for attorney Ball.

(Skelton Exhibit 1). The diagram was actually a childlike map sketched out for Ball and assistant counsel David Belin that morning by Patrolman Joe E. Murphy who had testified at 9:50 a.m. about his duties that day atop the triple overpass. (Murphy Exhibit 1) Throughout that day and the next as overpass witnesses would come in they would take turns marking up the diagram, until a hodge podge of marks and circles and numbers peppered it.

The diagram was crude, entirely without perspective or even reasonable placement of the buildings. Further, in the Skelton exhibit form it is printed darkly with extreme care having to be taken to even know what one is looking at. A long rectangular block represents the triple overpass, another big one the Stemmons Freeway. Poorly drawn streets of Commerce, Main, and Elm are placed with odd shaped boxes for the various buildings. Then in

one of the strangest features on any of the Warren Commissions maps and sketches, there runs at right angles to the Stemmons Expressway block in the upper righthand side at the edge a rectangular block that represents the T & P R. R. overpass of Stemmons Expressway. In trying to puzzle out the strange sketch Skelton lost his orientation when asked to sign his name and mark an X where he had stood. This did not bother the assistant counsel though who told him to just forget the rest of the diagram and consider the T & P the triple overpass. Skelton put his X under the T & P and signed his name!

One has to search to find Skelton's mark where he saw the bullet hit, the diagram is so dark. One finally finds the slight arrow on Elm pointing away from the TSBD, but the building is a baby-type small square, not properly located or proportioned. If one follows the direction of the arrow of the mark backwards it goes to the west end of the Depository. But the clincher is the

The Commission had precise surveyor's plats and aerial photographs. Not using them and using the crude sketch assured confusion if it was not designed to create it.

questions. The start attorney are not make even a reepre accempt to provide a serious first quality map of the plaza scene nor to orient carefully the witness before asking questions.

The same day Austin Miller appeared before Joe Ball. Ball trotted him through his testimony and dismissed the crucial eyewitness without much detail being drawn from him. We see too the effort of the assistant counsel to confuse him. Ball gave him

Murphy's diagram to locate his position on the overpass and Miller struggled manfully to mark it. He did not probe Miller's knowledge of a street hit.

When we turn to earlier documents we find a disparity between Miller's original views given to authorities and his later testimony before Liebeler. In a notarized statement given on November 22 to the Sheriff's Department, Miller had said, "One shot apparently hit the street past the car." But Ball made no effort to bring this out or to ask if he saw what his buddy Skelton had seen.

During the April 1 testimony of Roger D. Craig before assistant counsel David Belin in the office of the U.S.

This is attorney in Dallas another reference to a bullet strike is made.

Craig was a deputy sheriff who stood in front of the Sheriff's office at 505 Main Street watching President Kennedy pass by.

When shots rung out, he ran to the railroad yards to search them, found nothing and returned. Then he was told to help search for a bullet hit on Elm Street. In a November 23 deposition he said he had been told a bullet "had struck the curb on the south side of Elm Street." On April 1 he reiterated this information with detail.

Buddy Walthers, a criminal investigator for the Sheriff's department, had told Craig and Officer Lemmy Lewis that one of the bullets "had ricocheted off the south curb of Elm Street." So they crossed Elm Street to "look for the place where the bullet might have hit." When asked by Belin why he thought this, Craig replied that "someone said that one of them had." They did not find any

Ignored but readily available news photographs show Walthers and an unidentified man examining an object on the grass, near the curb.

And he way to the lift,

At 1:30 p. m. on April 1, 1964, assistant counsel Joseph Ball interviewed Patrolman J. W. Foster of the Dallas Police Department in the United States attorney's office. Foster worked as a traffic investigator for the (DPD) and had been assigned to patrol the overpass during the motorcade. After the assassination he joined the search of the murder scene. On Elm he found "where one shot had hit the turf there at the location." When Ball asked him if had "found any marks on the street in any place?" Foster replied he had. "It was hit. They caught the manhole cover right at the corner . . . " Whereupon Ball showed him a photograph, marked as Commission Exhibit No. 2111, of the manhole cover and asked him if he saw any marks of a bullet on it? Foster said he did not, but it "went into the turf." Officers recovered no bullet. Foster had notified the department and the crime laboratory came down and snapped a photograph of the mark. (Commission Exhibit No. 2111) The Commission had prepared for Foster.

Two months before on February 13, 1964, Forest Sorrels of the Dallas Secret Service wrote to Inspector Kelley in Washington stating he had inspected the slab. "I did not see any mark that in my opinion could have been caused by a bullet and I did not see how it could have been possible for any fragment of any of the three bullets that were fired to have hit this concrete slab."

The Warren Report noted no indication of the reported shot could

be found.

Here again the predisposition to the conclusion of a sole and the fourth of the conclusion of a sole assassin shooting three times, from the easternmost window of the Texas School Book Depository appears. Sorrels remarks it could not be one of the three bullets and thus Foster's testimony to a manhole clip is not possible. Of course, this baldly assumes before he started to investigate that there were three bullets; a sound and responsible inquiry would have gone with the facts of the physical evidence alone and then drawn conclusion. What if there were four bullets and one of them from a different gun? But a further problem enters into the questioning of Foster.

Ball did not take Foster to the scene to ask where he saw the bullet mark, and it was only a few blocks away from where the deposition was being received. Neither did he ask Foster to describe in great detail the physical characteristics of the hit on the curb—the size, color, precise place, depth, exact the first mark markers is likely relationships. Instead Ball offered Foster a deceptive photograph. Foster had to dope out the hit through shadows cast across portions of the corner of the slab where he had said the hit occurred. The photograph is not of high quality. It is not a close-up, but taken from several feet away. The corner where Foster claimed to have seen the mark is partially covered with grass and shadows. If a mark was on it, in fact, how could one see it?

The police photographer should also have been deposed presumably he snapped a picture of something and did not commit random photography that day? What did he see to shoot? It should

be recalled that two of the marks left by shots that struck on Crowning Mill Elizabeth

Dealey Plaza, the curb and the sidewalk, were later discovered to have been patched by persons unknown to simulate the texture of the surrounding cement. It cannot be assumed that this did not example the words occur with the manhole slab in other words sorrels did not excluded the humanism of the humanism of the object being viewed. Neither did

They were

Foster called in a photographer to snap a photograph of a strike he in fact saw on the slab on November 22.

There are other witness statements on bullets hitting the road or turf. In the Dallas <u>Times-Herald</u> of the 22d Sheriff Bill Decker who rode in the lead car ahead of the limousine is quoted as telling a reporter that he "may have seen one of the bullets hit the concrete and bounce." This is never referred to again by Decker.

When New Orleans District Attorney Jim Garrison tried Clay Shaw for conspiracy to murder President Kennedy he brought into the court several witnesses to the murder. In January 1969, the construction worker Richard Randolph Carr testified. He had been atop an unfinished building near the southeast corner of Dealey Plaza and had seen the assassination from his high perch. Like so many other witnesses he had not been sought out by officials and had not been able to give his evidence before the Warren Commission. He said "one of the shots 'knocked a bunch of grass up.'"

In the mid-1970s the House Select Committee launched an illstarred probe of the assassination, which brought forth several belated witnesses to the murder. Charles Rodgers related he had stood on Dealey Plaza with Mike Nally. Nally's uncle had been a motorcycle policeman in the motorcade. After the murder the uncle related that when he hearded the shots being fired, he heard a clanging noise on the fender of his motorcycle. He looked down and saw a .45 caliber slug roll off into the street, but had to leave to accompany the fleeing limousine. The House Select Committee said it could not locate this uncle.

Another motorcycle policeman, Starvis Ellis, who rode 100-125 feet in front of the limousine, told the House Committee that "just as he started down the hill of Elm Street, he looked back toward President Kennedy's car and saw debris come up from the ground at a nearby curb."

On August 6, 1964, the FBI interviewed Wayne E. Hartman and his wife Edna. The Hartmans had heard over the radio the FBI was conducting additional investigations in the area where President Kennedy had been assassinated and was looking for another bullet that "might possibly have been fired at the time of the assassination." So, they contacted the Dallas Bureau. Later they recalled the FBI did not seem very interested in us. "Special Agents A. Raymond Switzer and Robert M. Barrett took down their information and typed it up on a FD 302 form dated August 10.

On November 22, the Hartmans had business at the courthouse in Dallas and had proceeded from it to Mullendore's Cafeteria at 601 Main Street. While eating someone announced that President Kennedy's motorcade would pass by on the street outside. Wayne and Edna went outside and watched the motorcade, afterwards they

returned inside when soon they heard some shots. They left and walked west to the grassy area. Out of curiosity they proceeded down the grassy slope to ask a police officer what had happened.

While there they noted disturbances in the turf. At this point the FBI changed their information. They actually saw "two separate gouges, more or less running parallel" for four or five feet in the grass. The FBI gave an incorrect report of a single gouge running 18 to 24 inches. But Wayne Hartman pressed down on the damaged grass to see how far it went. The FBI also reported falsely that the gouge lined up with the Texas School Book Depository, when the Hartmans clearly stated the two gouges lines up with the north grassy knoll. A Fort Worth photographer, Harry Cadluck took photographs of the gouges and said "there was more than one piece of turf knocked. . . . like someone shoved in a screwdriver and peeled it back a little . . . " A second piece was not as big. The FBI reports do not mention the photographer or his pictures. The Hartmans stood about five feet south of where the culvert or manhole cover was located.

When the Hartmans returned on November 24 to inspect the scene again they found the grass in the area where they had observed the gouged out holes had been trampled down and they could not locate the hit. How this is possible by random foot traffic was not gone into by the Special Agents.

In his September 9, 1964, report to headquarters, Dallas SA Robert P. Gemberling included the sanitized and corrupted version of the Hartman information. At headquarters Assistant to the Director Belmont read it and through his assistant William A.

Branigan on September 17 queried whether the agents had checked the area with a mine detector to determine if a bullet had been recovered? Nothing had been done. So the FBI shipped in a mine detector, a Detectron, Model 27, metal detector. FBI Agents Nat A. Pinkston and Robert M. Barrett searched a three hundred square foot area around the culvert, discovered no bullet, but a couple of miscellaneous metal objects. Case closed. But could the naked? word of FBI agents who had falsified information to begin with be accepted as valid by history and reality? Only their superiors could accept it.

An instance of a possible additional bullet came from the press. A series of nine photographs appeared in the Fort Worth Star-Telegram depicting officials at the scene of the crime searching for bullets. Buddy Walthers and a Dallas policeman are shown standing on the south curb of Elm Street west of and near the manhole cover slab. In the progression, the two stoop to examine the grass, an unknown man in a suit takes up the search while the two stand and watch. Then the suited hand of the third man reaches for an object. The unknown man is shown as he walks away with the object clutched in his left hand.

In the <u>New Republic</u> of December 21, 1963. Richard Dudman of the <u>Saint Louis Post Dispatch</u> who was on Dealey Plaza that day wrote, "A group of police officers were examining the area at the side of the street where the President was hit, and a police inspector told me they had just found another bullet in the grass." The British journalist Nerin E. Gun in his book <u>Red Roses</u> from <u>Texas</u>, published in early 1964 and the subject of a remark in

that Buddy Walthers "described to me himself how he found the bullet and a picture taken immediately after the shooting by a <a href="Dallas Times">Dallas Times</a> photographer shows this detection and a Secret Service man in the act of retrieving a bullet from the turf at the roadside."

No further information is known about this incident; the Commission did not investigate it.

Two critics Gary Shaw and Larry Harris relate that a Dallas television personality, Bert Shipp, said that an unidentified mailman that afternoon handed a television camerman from his station an empty 30.06 cartridge asking it be given to Shipp. He said it had found it in the bushes near the Texas School Book Depository. There are only so many mailmen in Texas and he could have been located and along with Shipp could have been called to testify. Shipp still has the cartridge.

Of the Shipp account no further information seems to exist.

Six other instances of bullet cases or the bullets themselves exit.

In July or August, 1966, William A. Barbee found a bullet embedded in the roof of a building located at 1615 Stemmons

Freeway, Dallas. In December, 1967, he had read a <u>Life</u> magazine article on the assassination that prompted him to furnish the bullet to the FBI. On December 11, 1967, the Dallas Field Office submitted the bullet, to the FBI in Washington for examination.

On December 14, 1967, R. H. Jevons in a LHM to Mr. Conrad

On December 14, 1967, R. H. Jevons in a LHM to Mr. Conrad Appliful them related the results of laboratory tests and furnished the same to FPI Dalla

Dallas by teletype. The fabled laboratory reported that the slug was a .30 caliber carbine-type, "entirely different from any ammunition specimens examined in connection with the assassination evidence. It could not have been fired in the assassination rifle." On December 27, 1967, Headquarters telephoned Dallas to order further clarification of the location of the cartridge with respect to its proximity to the TSBD. The Dallas IC Steve Albright and SA Wallace R. Heitman surveyed the area on December 29, 1967, and said the site was one mile north of the Depository. From ground floor one cannot see the TSBD. From the ground floor of the TSBD one cannot see the 1615 Stemmons Freeway building. (The bullet of course was found in the roof. Can the roof be seen from Dealey Plaza and vice versa?--yes.) The Dallas December 29th Airtel to the Director, FBI, containing the results of the

"Bearing in mind that LEE HARVEY OSWALD fired from the Southeast 6th floor window of the Texas Schoolbook Depository, the building at 1615 Stemmons Freeway would not be in any way in the line of fire."

The FBI took no further action.

If the Assertion will have been used by and they could have fired

Coaley Plaza could have been used by and they could have fired

this errant bullet that ultimately struck the roof, but this would have required a conspiracy. The episode again illustrates how the first that inquiry by postulating only the mystical was reality, nothing else could have happened.

The treatment of the Barbee shot is similar to that accorded the

survey, concluded by remarking,

Rex M. Oliver, shot.

During October or November, 1968, he could not recall the exact time, Rex M. Oliver worked for the Texas Highway Department in the city of Dallas. While working in the vicinity of Commerce and Stemmons Freeway, "at the entrance to north Stemmons Freeway" he found a bullet "which appeared to have ricocheted off of something." He picked up the bullet and put it in his pocket and had kept it since. It was "somewhat corroded as if it had been in the weather for a long time." When he mentioned his find to his engineer he suggested to Oliver it might be the "third bullet", which he had heard about in connection with the assassination since Oliver found it "in just about the right spot."

For two or three weeks Oliver tried to contact Jim Garrison  $(u^{-t})$  in New Orleans but had been unsuccessful. So on February 15, 1969, he contacted the Dallas office of the FBI by telephone to furnish them the bullet, "if you want it." Oliver did not know what caliber the bullet was, but only that the "front" was the only damaged portion. The FBI picked up the bullet and on February 20 mailed it to its Washington crime laboratory for analysis.

On February 27 the FBI laboratory reported to Dallas that the specimen was a .45 caliber steel-jacketed soft point bullet which has been fired from a barrel having six lands and grooves, left twist. The rifling impressions were the same as those produced by Colt, Norwegian and Star automatic pistols and Colt revolvers. "It was not possible to determine the length of time that this bullet has been exposed to the weather." Then, the laboratory

commented: "It is to be noted that this bullet is different from any ammunition examined in the assassination case and could not have been fired from the assassination rifle." Washington returned the bullet to Dallas and took no further action. Here once more the FBI utilized the Procrustean control determinate: if a bullet did not fit Oswald's rifle it was not legitimate evidence. Of course, a different caliber weapon required another assassin.

A Dallasite dug another bullet out of a building roof. In 1967 while working as a roofer on top of the Massey Roofing Co. building in the 1200 block of Elm Street, about eight blocks from the TSBD Richard Haythorne discovered a bullet. On April 20, 1977, his attorney Bill Mason sent it to the House Select Committee. The HSC employed a ballistic expert, \_\_\_\_ Wilson, from the Washington, D.C., Police Department who found that it was a "jacketed, soft-point," .30 caliber Remington-Peters bullet. Wilson "concluded that the physical characteristics of the bullet were different from those of Mannlicher-Carcano ammunition, as well as the rifling characteristics of the Mannlicher-Carcano ammunition and was not fired from the Mannlicher-Carcano rifle."

Richard Harold Lester's experience matched Haythorne's. A night time security guard, Lester had a hobby of searching the assassination area on his days off with a metal detector. He uncovered many odds and ends of items. But sometime in 1974—the precise time is not remembered—in the cinders of the overpass he found a 6.5mm cartridge, sixty—one steps south of a point on the west side of the overpass, directly above the south side of

Market was

Commerce Street. A narrow roadway runs along the westernmost railroad tracks, the spent cartridge fell between it and the fence.

Lester kept the cartridge private, not thinking it was of any significance until the brownhaha raised over the House Select Committee's inquiry into the murder again brought the subject to the fore as a life issue. At 11:45 p.m. on November 22, 1976, he telephoned KRLD, a Dallas radio talk show, where he told a Dallas Times-Herald investigative reporter, Hugh Aynesworth, about his find. This initiated a story, with photographs of the scene, and a chain of events followed.

Roused by his reception on November 26 Lester telephoned the FBI office in Dallas and reported what he had found. On December 1 the FBI interviewed him, asking to borrow the slug for tests in the FBI Washington crime laboratory. Lester balked at that, not because he did not want to cooperate, but because he was afraid he would not get his bullet back. He suggested it be insured, thus the FBI would be certain to return it rather than lose the money. He did not want money, but was concerned he would lose it. The FBI finally convinced him to loan them the bullet, gave him a receipt, and assured him "that he will get the bullet back once the laboratory examinations have been conducted." For weeks afterwards, from time to time, Lester would phone to ask when he would get his bullet back, only to be told the tests were still being run.

After a nasty wrangle with the House Select Committee, on August 4, 1977 (nine months later) the FBI reported Lester had

found a 6.5mm jacketed soft point bullet, but not a full metal jacketed one like the CE399 bullet recovered at Parkland Memorial Hospital November 22. (A different type of ammunition was involved.) Furthermore, the land and groove impressions of the rifling of a test bullet fired from the rifle found on the sixth floor of the Texas School Book Depository (Serial No. 2766, the alleged Oswald rifle.) and the Lester bullet, differ approximately .01 inch, a significant and definitive degree, meaning they were not made by the same rifle. The individual microscopic marks or striations were also compared "without effecting an identification." "Therefore," the laboratory concluded, "nothing was found to indicate the . . . bullet was fired from the previously submitted . . . 6.5mm Mannlicher-Carcano rifle, Serial Number C2766, represented by the . . . test bullet."

In other words the Lester bullet did not come from the rifle found in the TSBD. There all FBI interest just died. Procrustean control determinate: since the bullet had not come from "Oswald's rifle" it could not have been connected with the assassination. The FBI kept the bullet.

Two other found bullets are in the evidentiary base. On December 2, 1970, two college students, Melvin Gray and William Koye, claimed to have found a .30-06 caliber copper jacketed lead cored bullet in a planter along Houston Street, the edge of Dealey Plaza. A friend mailed the slug to critic Harold Weisberg, Frederick, MD. Weisberg prompted notified the local FBI agent stating that he thought it was a ghoulish plant by persons agitated by the Garrison inquiry.

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Ronald Lichtinger, the FBI's resident agent in Frederick, returned the bullet to Weisberg, without any covering letter. Instead he read what he had written on a lined yellow pad, apparently dictated to him by FBIHQ.

After pausing to decide whether or not to accept anything, from Weisberg who it thought (knowingly falsely) to be a communist as well as a critic of the Bureau, which was worse, the FBI unshipled analyzed the bullet. Then they determined the planter had been built after the assassination and thus the bullet could not have been involved in the crime. They decided to keep their results secret from Weisberg who learned of it from the documents he recovered under a FOIA suit. This is he me working me and he is a suit.

Emery Brown also found a .30-06 bullet in a planter on Dealey Plaza. need data

In addition to the accounts of bullets hitting the plaza and the seven bullets or cartridge cases citizens turned up, two bullets struck and scarred a sidewalk and a curb on Dealey Plaza and left smears that the FBI tested.

Citizen Eugene Aldredge persisted in bringing a bullet scar on the north sidewalk of Elm Street to FBI attention.

on the day of the assassination KRLD-TV filmed the assassination scene and among other things showed a bullet scar on the sidewalk running along the northside of Elm Street, near the triple underpass. That evening Eugene Aldredge viewed the show. Seven months later, sometime in June, 1964, he visited the area and viewed the scar, which was approximately six inches long, one half inch wide, one quarter of an inch deep, with metallic smears in the trough. Photographs of the scar were taken, showing its line of trajectory and its size and location. A when

When the Warren Report appeared in September Aldredge read it and discovered it did not mention the sidewalk hit. On September

29, 1964, he telephoned the Dallas FBI office to bring the matter to its attention. When they asked why he had waited so long to report the matter he stated "he felt that such [an] important point would be covered in the President Commission's Report." When it was not he had come forward. On September 30, SA Manning C. Clements and SA Richard J. Burnett visually inspected the sidewalk area for any scars. They found what they deemed to be a nonpertinent scar. Their airtel report to FBI Headquarters reads:

In the area of the second lamppost, approximately thirty-three feet east of the post, in the sixth large cement square, four feet from the street curb and six feet from the parkside curbing, is an approximately four inches long by one-half inch wide dug-out scar, which could possibly have been made by some blunt-end type instrument or projectile. It is noted that this scar lies in such a direction that if it had been made by a bullet, it could not have come from the direction of the window the President's Commission on the Assassination of President Kennedy has publicly stated was used by Lee Harvey Oswald when firing his assassination bullets at the late President.

It lines up with the far western corner of the TSBD. Someone would have to lean out of the window to shoot the bullet that made that scar, or be in the bushes at the base. Once more, the FBI employed its standard formula for assassination evidence: if facts does not fit the Oswald lone assassin configuration it is not evidence.

A week after his telephone report to the FBI Aldredge

mentioned the mark to his friend George Booth who said he wanted

to see it. So, the two went to Dealey Plaza and found to their amazement that the mark, formerly about 1/4 inch deep, "had been filled in with what appeared to be a mixture of concrete and asbestos . . . A crude attempt had been made to make the altered mark appear weatherworn to match the surrounding concrete." The mark lined up with the southwest corner of the TSBD and could not have come from the window where Oswald was reported to have been firing.

On October 20, FBI headquarters told Dallas its report did not seem to cover the area Aldredge had originally described. Dallas should look into this further and Aldredge should be requested to further identify the place. On November 5 FBI agents interviewed Aldredge at his home where he was confined with illness. Aldredge minutely described the location of the mark on Elm Street. Then he stated that the scar was covered over in a sloppy patch job. In his opinion the hole was covered in order to protect the Soviets. He had only mentioned the scar to two people, a local newspaper reporter and an FBI agent. (The FBI interview with the reporter disclosed he did not believe Aldredge and thought he was a nut case and merely listened to him on the phone to get him off the line.) Aldredge thought the Soviets had infiltrated the FBI. The agents "politely, but firmly, advised that his supposition in [that] . . regard" was wrong and absurd. Hoover noted in the margin of the paragraph of the report relating this, "right."

Dallas located the scar. They confirmed "that there is now

some sort of foreign material partially covering this nick in the sidewalk." They scraped a specimen from it and sent it to the laboratory requesting a report. On the routing FD 340 form Dallas ticked the square requesting the laboratory keep the specimen. But the laboratory sent it right back to them. Two years later the laboratory requested the specimen again.

Whereupon the subject of the sidewalk scar entered into the silent world of the FBI and nothing more is known of it.

The last known evidence of a shot on Dealey Plaza exterior to the automobile is the bullet that struck the Commerce Street curbstone and wounded citizen James T. Tague. We have discussed this in a previous chapter and need only to summarize the information.

On November 22 James T. Tague attempted to drive east on Commerce through Dealey Plaza only to be stopped by traffic at the triple underpass. Learning of the President's passing he got out and walked to the plaza to view the motorcade. He stood on the south side of Main Street, twenty-odd feet from the pass abutment. As he watched the motorcade, shots rang out. A bullet striking the curbstone near him caused concrete debris to spray and hit and wound him just beneath the right eye. Two-drops of blood-flowed.

Deputy Sheriff Eddy P. "Buddy" Walthers, Chief Criminal
Deputy Sheriff Alan Sweatt, and police officers saw his blood. A
motorcycle policeman, L. L. Hill, called it in to his central
command, leaving a record on the police logs. Officers searched
and found a fresh chip on the curb, twenty three feet and four

inches from the eastern edge of the tripe underpass on the south curb of Main Street. It was about the size of a silver dollar, i [with swilling  $A_{i}$ ] the depth of a nickel, with metallic smear in the trough.

At the police station an officer took Tague's statement down.

This disappeared from the record and has never been seen since.

White the Major put with

The next day James Underwood of a local television station took a

television-reel shot of the chip and Tom Dillard of the Dallas

Morning News snapped a still picture. The mark is clear. A

photograph of the curbstone appeared in the Dallas Morning News.

November 24. Still no FBI agent contacted Tague. When on

December 13 the Dallas Morning News ran a news story headlined,

"Questions raised on Murder Bullets," Tague contacted the FBI.

interviewed him, but seemed to be more interested in whether he knew Jack Ruby. Their report dated the 16th (s limited) Later when the Bureau analyzed a June 5, 1964, story on Tague by James C. Lehrer a reporter for the Dallas Times Herald it was prejudiced against him, describing him as a "used car salesmen," when he is in fleet sales and new car sales management. The report distorts the facts, calls Tague a publicity seeker and one who is after money, when in fact the very story relates that the person (Tague) does not wish his name used and Lehrer did not use it. There was never any reference to money. And so forth.

During his testimony before the Warren Commission staff counsel Wesley Liebeler questioned him. Liebeler asked him about his home movies taken of the curbstone. Tague had taken the film 1914. in May, stored it in his dresser drawer, told no one about it.

no longer any mark or scar or hole. It obviously had been patched, when Owwald could not have done it. As the Dallas ease JFK assassination case agent, Robert P. Gemberling put it in his summary of the bound reports he sent to FBIHQ of which this is part,

Monetheless Shaneyfelt had the cut remover that section of curbstone and then saw off a piece about a foot long where the hole had been. He flew it back to washington and unabashedly the lab went through the characle of testing it for bullet residues, knowing it was testing the patch.

Spectrographis analysis, accord to the FBI's notes, no formal report having been made, detected lead and antimony, two of the 11 (?) elements of the alleged bullet. SA Robert Frazier, the ballistic expert, not the spectographer, noted that what had been alchemized from a hole or scar to a "smear," could also have been caused by an "amtomobile wheel weight," a possibility he did not mention in his Warren Commission testimony.

In Waiherg's second FOI A lawsuit for the results of all the FBI's second testing

Spectrographic analysis is performed by buring a minute specimen, photographing and
then analyzing the flame.

In Weisberg's second FOIA lawsuit for the results of the FBI's JFK assassination second testing the FBI failed to produce this film of that spectrographic testing.

The FBI's explanation, set made of personal knowledge and an undisguised conjecture, is that this thin film had been discurded to save space in the incredibly enormous FBI files.

In fact any such destruction was prohibited.

The patch, of course, made it impossible to determine the composition of what cause that hole or scar. Milk

South Market

p

Yet the film had disappeared and now Liebeler had it. How was that possible? Liebeler changed the subject.

As late as July 17, 1964, the FBI told the Commission it had not been able to find any evidence of the missed bullet hitting white the pavement. The stalling ceased after Tom Dillard told U. S.

Attorney Barefoot Sanders about the bullet at a social function of the FBI sent SA Lyndel Shaneyfelt to Dallas to saw the curbstone portion out and bring it back to Washington for testing. The curb had been patched by persons unknown and to the FBI a fact they did not wish to pursue with honesty for it suggested a conspirator might have covered it up to hide the impact. The FBI conducted scientific tests to determine the composition of metallic traces near the patch area. It was lead with some antimony, the composition of the core of a bullet, said the FBI and the Commission parroted them in its Report. On neutron activation tests done the FBI did not inform the Commission. The conclusions of these tests, on one sheet of paper, the FBI told Weisberg in federal court suit CA 75-226, they had destroyed when cleaning their files.

The chip on the curb was 600 feet from the Texas School Book.

for that Mith- (Win window, (?) It first from the Texas School Book.

Depository It-was on an angle of 33% making a skipping shot; or

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of it him age or it leaves the paper after hitting something else, not physically

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commitment of the facts that the short of the sho

shot. The mark they said could have originated from the lead core and bullet but not from the complete copper-jacketed bullet found for Governor Connally's stretcher. Here again we encounter the control determinate of only permitting three Oswald/copper
in form, theretag, would findly to fisher-computing to jacketed bullets to explain all evidence. An obvious logical cometim neather the first that another, a lead one, bullet from a different must be alternative is that another, a lead one, bullet from a different must be abdult cut with the last and within the first the curb from the pith is oblited to must be thus left by the bullet that will not be the curb from the pith if oblited to must be thus left by the bullet that will not be the different did not make the mark then how did it get the first will not be complicated in the first the curb from a piece of the slot that. It JFK's head, the last of the little of the last of the slot that. It JFK's head, the last of the last of the last of the slot that. It JFK's head, the last of the last of the last of the slot that. It JFK's head, the last of the last of the last of the missed bullet that and exploded or it might be a fragment from the missed bullet that

ricocheted. If But the shot that hit JFK exploded on the right side hid not from the lift. The sept half of his held and he lift through the dead and a fragment could not possibly have moved left for a far hall to have dead to uncumuse the sorth and were the hard to be the high the hard here had not a physically without his the curb. It is a physically without his the high material to hit the curb. It is a physically without his minute minute that he for many limited to a physically without impossible shot. A ricochet is not possible either, the builtet full his from the front of the suche has her friend if the built were free high from the front of two steep an angle and was too distant from the surface hit from the front of two physmens of filling and exact my them has sible. If this is the TSSD. An oswald shot is not possible either it is too far, one of the way a when the valuable fly and he commission of the first two late, and too estant. Publish as killed by love hurse "for the sorrowing within had to be late, and too estant. Publish was killed by love hurse when he must be after the formal as shot fired far west of the formation of the home with the curb who he had a shot fired far west of the formation of the home with the surface of the formal and shot of the far west of the formation of the home of the formal was a direct that from a non-military builtet.

This is the evidence of other bullets hitting outside the Mid the form of eyewitness and physical data for there never was a serious attempt to gather the physical evidence in a scientific manner, e.g., by sealing the plaza and minutely searching it or by a careful sifting of the various types of evidence to gather the

hundreds of witnesses and fully explore what they saw or to carefully collect, analyze, and coordinate the information in photographic film. It does not imply that each of these instances means another shot was fired in the assassination of President Kennedy. Far from it.

Each instance has to be evaluated in its own terms, carefully analyzed with respect to scientific facts, defined by relationships to other evidence, and be judged by objective standards. The evidence is overwhelming, certain, and compelling that the Tague and Aldredge scars are the products of bullets beyond the official three. But to concentrate on the mind-stunning area of physical facts with their implications overlooks the central element in the bitter history of the bulletry of Dealey Plaza: the history of the bulletry external to publish automobile demonstrates that local and federal authorities never investigated the murder of President John F. Kennedy.

How does one explain this deliberate act? Special Agents of when the world not enturely inner the providing of the Marren Commission investigating the replanted and astated the world forms the world could be world to what the world in and world to what the world and the certain evidence for possible other bulletry operated under one certain and thus the wellow from the commission and from its performance with the wellow they would control the investigation to exclude

this evidence.

With few exceptions all they did they assumed would be locked away in eternal secrecy and no one would ever know what they had done. To brow beat a citizen like Randolph Carr to keep him from speaking to the press, to change the statement of the hartmans, to slander Tague, to hide information that disproved the official conclusions in the Tague data, was never to be known to

(in political cases)

## The Bullets of Dealey Plaza: Control of Evidence

distort, gune misrepresent, must, gritert and from he about the anyone. Thus they could proceed confidently to block, thwart, or where they had maketed then valuational that have industry that the the confuse the evidence for additional bulletry. The agents from the three hill has first and that is institutely many that they have all the a constitution. The Biles Bureau had a long tradition for working this way as anyone who has studied the Hiss, Rosenberg, and so forth trials knows. All of to

perversion of evidence, and other misdeeds with no questions ever Even compelled of stell also in amplete disclose useful the longuistions of the longuistion of their files, pulled out into the sunlight of the literary and method to FBI's immunity.

The attorneys from the Warren Commission plucked their principles of operation from the legal structure, in which all of them were stellar instances of the best America could produce.

American law an attorney acts on behalf of his client with the

opposing counsel or adversary taking the responsible to question

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commission are such a court it decidal below and the last attention was must.

investigation the adversary context was missing; it was not a commission was such a court it decidal folia unjudy in what a trusture to confirm findings already predetermined but four but a structure to confirm findings already predetermined but him FBH of with the normal contents of an abertary system of justice for what the are them of and assumed. With this compelling principle of their professional, are them of an assumed to the instructional and information they have been actionable to the free field on. They have the sufficient they wanted to an arrange of pressure of the first than what they was and put of private they wanted to an arrange for any put of the first than any put of public opinion to direct, for any put of the children adversarial system of public opinion to direct, for any put of the children adversarial system of public opinion to direct, for any change and any put of their actions.

They also operated under the screening device of the laboration of the substitution of the substitution of the laboration of the substitution of the laboration of the labor

prestigious members of the commission, a Chief. Justice, a Richard & prestigious members of the commission, a chief. Justice, a Richard & head of the Inthus formation Minuses. The respects Rentition flowers, allow holles, Russell, a Sherman Cooper, which quieted critical minds. At the forman Director, further Intelligence, and the Republican ludes in the House, gerald Ford. There same time the murder of the charismatic President Kennedy with all reputations and through the other, also presty one members, elemented cong expression of their character, stendfeld him to present complete secure saw in the FBI to leads by which it disministed helmmens and as a president master reflece the Commission of its indifficulture without and public a journalistic critical of the procedures and practises and Ruhish regard here and abroad in the emment commissioners had be effect of reasoning the public in general and particularly those who loved and superited in the mome. The Bullets of Dealey Plaza: Control of Evidence tell of growing and in resongly popular president despite underfreed unique or the orime truly, a rine that is true true sometry inevitably has the effect of a coup detect.

his charm, and the significance of his

citizens to raise any small inner doubts to the level of

criticism. Who could dream a president's murder would not be throughly only vigor usly anthom reported fully and numerally to the mention and pe the sent investigated. To the ignorant and reactionary speaker of the if he wild? I they some unless and dogwise title and poor a fliously, but because the mose Carl Albert the whole issue of other, bullets raised by a mose much mustal a unless story little attention and he notion, which it couple of lone voices in 1965 and 1966 struck him as absolutely about, and his comments, voice the views of other politicians:

(In if they had been any implying at elf what was giving on in that stay dwenty "Why, what's another bullet in a thing like this?"

total secretary.

Until De Refort us relieved and will be read, under stool, any protested as it was despite the univitual enright and ont by all the major mudia hat then all not what the serious criticisms of the Report end its omingrums, distortions, insurprent itions and, in plain English, its lies with. out which it will not have issued, with its unt huable wrifeinging, But emong hore of influence, hore too being with other ducted and obligations to take the considerable amount of un interrupted time required to send and understood it, masses and its properties to the considerable amount of the interrupted time required to Real and understand he missive 900-fige Frome, Then was full and uncitive acceptione of the Report and its "relation" to "the vine of the century" as it was not in prejuently new of the Report and its "relation" to "the vine of the century" as it was not in prejuently new of the Report and its "relation" to "the vine of the century" as it was not in prejuently new or the second of the second referred to G It was not possible in anyone explusely not The bulled major with The melies of plotting leakers, I walnute The Supert by worth ing it with The gramming in the last on common suit une blance t was another trub morths before the form trut mission published by 26 volumes of its testimony, 4 hibits wal lite taking. The testimony and of the special vents of the missions arm, 4 parts clioning. The rest was consigned to the looked vents of the Matron all archives where it not was consigned to the looked vents of the Matron all regulation be fore anyone wild have excess to it. If for many empiricans wild take fore myone wild have excess to it. If for many empires and analy 30 the mornous comment of time required to real comprehend and analy 30 mg pages of the Report and imprie it with his wilding scattered morning out the 26 volumes the summission he think it is to the time a continue of time to the solution of The 26 volumes the immunister published about 15,000, 000 words of Fresch still from This minute fritten of the people was the in first issue ally smalle who who will get of dischive days without and to waste though Those room cubilitet of dozenic days without and to waste though Those room cubilitet of dozenic days without and to waste though Those rooms. cumplet of documento so many of which were largely to completely it-legible? The mayor make and not take that Time and the not make the large fin aring involvent of essign may terms of trained and uph cerced investigative righter and more get a worked in these 10 tol, too published work attraction for the commission who works of the De Reput was published or much later when he commission while I out a results began to be decouple in My archives and dung

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When my himpi important of our netronal lessers; was and remained
to ignorant of the ment basic fact of the assassination so upwoish he call not
know enough not I make a lost of home of the know enough not to make a fort of humally he great importance to the FBI and to the commission of "In bullets" of Dealing Playa" in their "control of the withing" is apparent.