

4/2/71

Dear Bob, CC SW

It is now 3 p.m., and except for taking my wife to work, whence I must soon ~~retrive~~ retrieve her, and a hasty glance at the paper, I've done nothing but memos and letters all day. From this I hope you can understand that my response to your interesting memo of 3/31/71 need be brief.

You do not state any single purpose, so I assume you had none and were merely examining items of evidence no more directly related in your mind than any other such items.

In each case what you report is interest, and the project in itself was worthwhile if only to record what you have. From my limited knowledge of offset photography, your description of the paper is not typical of the kind used in it, which is heavier than average. Also, generally the camera builds in a screen you do not report, necessary in photoengraving. Because we know of no access Oswald had to home film processing, I can offer no explanation of the odd sizes of paper used. These are consistent with using up scraps.

Because I have never believe and never seen any reason to credit the notion that LHO shot at Walker, I've paid scant attention to this aspect. It is inherently without credibility.

I do not recall whether I ever ~~remembered~~ knew the significance of the "P" markings. One thing that comes immediately to mind is that those pictures with these numbers may be copies made for use in an interrogation, as of a person whose last name begins with "P", Paine being the most obvious.

Your assessment that some seem to be commercial prints is, I think, beyond question. Assuming this, and noting the differences in proportions, have you considered how many could have been taken with cameras that can be linked to LHO? Whether or not these are contacts or slight enlargements we may not be able to know, hence "proportions".

In the past I've spent some time on CE 5 and one you do not mention, a similar but different one in the Walker Exhibits, of a similar but different car in that approximate position. There are ways of holding and looking at this picture that makes one wonder if it is a double exposure.

With regard to the whole, if accounted for as Mike suggests, would this space be white or black? Could it be black because the entire thing was copied while mounted on a piece of black paper (where or not adhering)? In the original you saw I realize it is a hole, but I wonder why the copying was with a black, regular background. If this hole was made as Mike conjectures, it is a remarkable coincidence and not, seemingly, after having been mounted as the others seem to have been. Your assumption that P1 of CE 3 seems to have been printed from the same negative seems warranted. Could one also not assume that P1 was cut to its shape rather than printed that way? There is a similar crease between P4 and P3 in CE 4.

However, if this had been pasted to a sheet of paper no thicker than the average yellow pad, do you think that photpaper would have yielded first?

Your comment on the quality of this photo is warranted by the print they made for me, from the printed copy. It is much more the case with Walker 3 (the original of which you might want to check, for this has a strange and unlikely proportion, suggesting

133 A & B- can you buy the notion that not until 1968 did the FBI conduct a fingerprint examination of this (these) so-often handled pictures? I can't. But I do have prints made from the negatives for me before that date and I have studied them often and carefully. I also got a set for Fred Newcomb, some of whose work I agree with. I also disagree with some and have opinions he does not offer. He did his original work on these for me. The rest of what you say, with one exception is correct. There is a negative of 133 A, but it was made by the FBI from the original print. Sorry you didn't address the deformity or the illusion of deformity in the hand. And here you make no reference to blotches, although they do exist. And seem as those you describe, to be of ink.

Can you consider the the DPD original report on the jacket of the Walker bullet may be carelessness, a common-reference type of thing? While this can also be true of the calibre, it is not as likely to be.

Your inference that this is a substitute bullet need not be far out, especially with the missing marking, for that would require dirty-work by Day only, and who is there willing to declare that impossible? However, I disagree with your qualification. If there was any substitution, I'd assume it was not other than deliberate, regardless of anything else. It takes more than "characteristics", however, for this to be a conscious duplication of the alleged Oswald rifle. Calibre, for one thing. Any number of different rifles have similar characteristics, as the number and direction of grooves, etc. What Day did with fingerprints and what he refused to do can be questioned.

All very interesting.

Harold:

Here is memo I mentioned
on phone. Any comments or
suggestions would be most
welcome.

Bob Smith

Harold W.

Washington, D. C.
March 31, 1971

MEMORANDUM FOR RECORD

On Wednesday, March 24, 1971, Mike Clark and Robert P. Smith of the Committee to Investigate Assassinations visited the National Archives and personally examined several items of evidence from the investigation of the assassination of President John F. Kennedy, as deposited there by the Warren Commission. The items we examined correspond to certain Commission Exhibits identified below.

Our examination was conducted between the hours of 2:00 and 3:30 PM in Room 200-B. We were assisted by Mr. Mike Simmons of the Archives staff, who was most helpful and considerate throughout.

Our observations are reported in the following numbered paragraphs. Comments enclosed in parentheses are discursive or inferential remarks intended to provide context and should be distinguished from the observations of the evidence.

1. Commission Exhibit 1 (Note written in Russian, said to have been prepared by Lee Harvey Oswald prior to his alleged attempt to assassinate Gen. Edwin Walker in April, 1963): We observed this item to be a single sheet of unlined white paper, approximately 6"x9", bearing pencil writing on both sides, in a language not familiar to us. It appeared to correspond to the printed version of CE 1 in Volume 16 of the Hearings, including the initials and other markings in the upper right hand corner of the front side (probably entered by investigative personnel at one or more stages of transfer of possession) and a noticeable tear at the upper left-hand margin of the same side.

The handwriting on this item showed relatively little variation in line thickness or indicated pencil pressure. The slope and spacing of successive lines of the text was not noticeably irregular, despite the absence of rulings on the paper. (Our lack of expertise in handwriting and the Russian language precludes any inferences as to the authenticity of the identification of Oswald as the author from these observations alone, however.)

2. Commission Exhibit 2 (Group of unmounted photographs, part of a batch purportedly found among Oswald's possessions at the Paine residence): As observed by us, these four photos are separate and do not bear the markings "P1", "P2", etc. such as are shown on the printed version of CE 2 in Volume 16. (The basis for grouping these particular photos together as CE 2 is not evident, as they have no obvious relationship to each other.) The item corresponding to that which is labelled "P4" in the printed version of CE 2 appears, from observation of the back, to be a Russian postcard. The items corresponding to "P1" and "P3" appear to be ordinary snapshot prints as might be obtained from commercial film processing.

The item corresponding to "P2" in the printed version (said to be a photo of an alley behind Gen. Walker's residence) is of a distinctly different character. It is very nearly 5"x5" in size (not a standard commercial size). It has a thin, uneven black border on the top and the two lateral edges, varying from about 1/16" to 1/8"

in width, the lower edge being unbordered and seemingly cut with scissors or a knife. There is a crease or fold mark parallel to the lower edge and about $\frac{1}{2}$ " above it. (We infer that this photo was not produced by ordinary commercial processing, as distinguished from the postcard print and the other two photos.)

3. Commission Exhibit 3 (Another group of unmounted photos of supposedly the same origin as CE 2): Each of these, with the exception of that corresponding to "P1" in the printed version of CE 3, has regular, clean-cut edges and borders as found on commercially printed snapshots. The item corresponding to "P5" bears markings on the back suggesting that it came from a person named "Pavel" (a Russian friend of the Oswalds) and a date, "12-IV-63" (April 12, 1963).

The item corresponding to "P1" (another photo of the Walker residence) is distinct from the others. It is trapezoidal in shape, roughly $5\frac{1}{2}$ "x $4\frac{1}{2}$ ", and has no borders, either black or white. (We infer that this photo, like "P2" in CE 2, was not produced by commercial processing, unless it had been cut down on all four edges from a larger print. This photo is closely related to CE 5, discussed below.)

4. Commission Exhibit 4 (A third group of unmounted photos, again with supposedly the same origin as CE 2): All five of these photos appear to be commercial snapshot prints. The item corresponding to "P5" in the printed version of CE 4 measures 3"x3", including its border. (This photo is said to be of the M-K-T railroad track, a short distance from the Walker residence. It is unique among the "Walker" photos in these exhibits in giving the appearance of an ordinary commercial print.) Several of the photos in this group are marred by blotches of what appears to be dried blue ink, evidence of which may also be seen in the printed version of CE 4. (The origin of these blotches, also seen on CE 5 and possibly on some of the preceding photos, is not known to us, even as to whether or not they were present at the time of discovery of the photos in the Paine garage.)

5. Commission Exhibit 5 (A single photo, identified as showing the back of the Walker residence, again said to have the same origin as CE 2): This is an irregularly shaped, approximately $8\frac{1}{2}$ "x6", unbordered photo. The lower edge is unevenly cut, and there is a prominent hole through the photo at a place where the license plate on the rear of a depicted automobile might have appeared. The photo is marred by numerous blotches and smears of what appears to be dried blue ink, including a substantial part of at least one fingerprint near the right side along the upper edge. There is also some of this blue material in the paper fibers around the edge of the hole (suggesting, but not proving, that the ink blotching occurred after the hole had been made).

The hole is roughly elliptical in shape, perhaps $\frac{3}{4}$ " across its larger diameter, but is ragged, showing no evidence of the use of a knife or cutting tool. A small, almost detached piece of the gelatin surface lies curled along one side of the hole, as though it had peeled away from the underlying paper base at the time the hole was made. (Mr. Simmons expressed the opinion that the hole may have originated at the time the photo might have been pulled away from a mounting of some kind.)

There is a distinct vertical crease near the center of this photo. (Comparison with item "P1" of CE 3 shows that the latter is the same as the left side of CE 5, suggesting two separate prints from the same negative. However, the crease in CE 5 does not match up with the right-hand edge of item "P2" in CE 2.)

On the reverse side of CE 5, four residual spots of some kind of glue or paste are seen, approximately equally spaced along the edge corresponding to the top edge of the photo. Adhering to these spots are small scraps of lined yellow paper, much like that found in the usual ruled pads in schools or offices. No other such spots were observed, with or without adhering yellow paper. (We infer that this photo had been mounted at one time on ruled yellow paper, probably only along the upper edge. However, the unevenly cut lower edge leaves room for the possibility that it had also been glued or pasted along the lower edge, subsequently cut off. The hole, as suggested by Mr. Simmons, might conceivably mark another location of pasting.)

Close examination of this photo reveals a fine-grained quality and considerable detail of subject matter not evident in the printed versions of CE 5. (We infer that if this photo is a substantial enlargement from the original negative, then the camera used was of excellent quality.)

6. Commission Exhibits 133-A and 133-B (Two photographs supposedly showing Oswald holding a rifle and displaying Communist literature): The originals of these photos were not available for inspection. (The FBI is said to have conducted a fingerprint examination of these photos in 1968, causing considerable loss of quality as evidence.)

In lieu of the originals, we examined high-quality photographic copies of these items. Copies said to match the original size measure 3"x3", including borders (compare CE 4, item "P5"). The edges and borders, as seen in the photographic copies, appear clean and even (suggesting commercial processing).

What appears to be a telescopic sight is visible in the copy of CE 133-A (though not in such clarity of detail as to ensure detection by casual observation).

In the copies of both exhibits, it is evident that the figure depicted is wearing a large ring (suggestive of a class ring) on the ring finger of the right hand. There is possibly another ring, smaller in size, visible on the ring finger of the left hand in copies of CE 133-A.

We were struck by the apparently large size of the neck of the person depicted in these photos. (This impression is not readily obtained from the printed versions of CE 133-A and 133-B. It can better be appreciated by examining CE 746-A through 746-E in Volume 17.)

In view of the unavailability of the originals of these exhibits, we chose not to spend any great amount of time in studying them. (The negative of CE 133-B was presumably available, but we did not request it; no negative is known to exist for CE 133-A, the more important of the two.)

7. Commission Exhibit 572 (Two test bullets fired from Oswald's alleged rifle for comparison purposes): These two slugs^{are} copper jacketed, slightly tarnished, the forward ends being somewhat darker than the bodies in color. One of the two has visible curvature and will not roll freely on a smooth table, while the other appears undeformed and rolls easily. (Mr. Simmons produced for us some excellent photographs comparing CE 399 with the two slugs in CE 572. These had been taken at the request of Josiah Thompson for use in his book, Six Seconds in Dallas. We did not request CE 399 for examination, but the photographs corroborate the well known fact that its appearance does not noticeably differ from the slugs in CE 572, unless it is in the fact that one of the latter is more curved than CE 399.)

8. Commission Exhibit 573 (The so-called Walker bullet, purportedly recovered from Gen. Walker's residence on April 10, 1963, following an assassination attempt attributed to Oswald): This object is kept in a small, round pillbox, the top of which has various inscriptions: "Q-188"; "4-10-63"; "4011 Turtle Creek BURG by F.A." and a number of sets of initials.

The object itself is very flattened, more so than is evident from viewing its picture in Volume 17. One side (the side not visible in the photo) is a light-gray or whitish amorphous material (looking very much like plaster rather than metal), on which no identifying markings would seem possible. (This material could conceivably be oxidized lead, but to us it seemed to be embedded or adhering plaster.)

The other side, visible in the printed CE 573, is comprised of the greater part of the bullet jacket. It is metallic and it is clearly and unequivocally copper colored, the same as the slugs in CE 572, though perhaps a little more tarnished. (The original Dallas police reports describe this bullet as steel jacketed; see CE 2001, 24H39-40. Its copper jacket was not described as such until the FBI took possession some eight months later, 24H46-47.)

Rifling markings are clearly visible on the jacket surface. (While these are probably distorted in some degree by the flattening of the bullet as a whole, the bulk of the jacket is intact. It is not evident that the microscopic rifling markings could not have been matched with test specimens by the FBI, as was done with the even more distorted fragments of bullets depicted in CE 567 and CE 569.)

Considerable effort was made to find and identify the man-made markings allegedly scribed into this object by certain Dallas policemen and FBI agents. (Claims of at least four such markings are known: Norvell - CE 1953, p. 4; Day - CE 3114; Frazier - 3H438-439; and Nicol - 3H502-503.) Our examination, which was conducted with the aid of a magnifying glass, found only the markings of Day plus one other obscure symbol alongside it which we could not identify (see attached rough sketch by Mike Clark). We were unable to find an "N" or "B.N." (purportedly put on the bullet by an officer named Norvell just after it was recovered on April 10, 1963 and subsequently verified by him to the FBI on June 12, 1964 -- CE 2011, p. 6).

(We infer that this object is not the bullet allegedly recovered from the Walker residence on April 10, 1963, but is in fact a substitute for it. We are unable, from the evidence presently known to us, to determine when the substitution occurred or whether it was deliberate or inadvertent. However, if the rifling characteristics were found to match the alleged Oswald rifle in microscopic detail, we would conclude that the substitution was deliberate, as bullets with such characteristics are not known to be widely and randomly distributed in nature.)

Mike Clark

Mike Clark

Robert P. Smith

Robert P. Smith

3/31/71

Sketch of GE 573

