

That Dubious Epitaph

Consign to History's Refuse Heaps

(Pages 286-316)

Posner's "He Had a Death Look" chapter/begins as a dull rehash of some of what is known about the medical evidence to which he adds sharp criticism of two of the most successful conspiracy-theory books, David Lind Lifton's mistitled Best Evidence (Macmillan, New York, 198) and Harry Livingstone's self-published Hill's Treason .

In this none of this is he original and his criticism is less than with the knowledge of both the case and the literature he could have made. 186 Ah here

He pretends to get into the specifics of the medical evidence with the sub-chapter title "The Neck Wound" (Page 305) but in only one page he is already arguing against the actual evidence with such irrelevancies as quoting Dr. Malcolm Perry, who at his official press conference death had stated that this neck wound was in the front, at the official press conference, as

saying he did not know where from the front it came. (Page 305) Careful to avoid the largest and most definitive published sources of the medical evidence, my books, especially Post Mortem, he makes the most astounding and stupid factual errors, as in his trying to argue against the established medical fact, which is uncongenial to

his concoction, he states that "less than 1mm of metallic dust particles was evident on the X rays of the President's head." The first of his sources (page 551) actually said there were some forty such particulae particles as was known from the time my 1965 book was completed and as Posner had more extensively, in my 1975 Post Mortem.

There it nothing in this chapter worth any time and taking the time to expose its lack of honest intent, and little more of that is now needed. Besides, in the next chapter it is relatively spectacular, even for Posner.

which for the Posner we have seen to this point, is relatively spectacular

Contention between the commercialization^{1/11} extremes of theorizers does no good and it has done and continued to do harm. While enriching them it confuses the people even more, helping to bury truth deeper and to protect those who failed in divers ways.

The killer chapter, ^{as it} is ^{is} designed to be, ~~the one~~ titled with the supposed words of the other assassination-shooting victim, Texas Governor John B. Connally, "My God, they are going to kill us all!" That on this Connally was instinctively saying there was a ~~single~~ conspiracy - "they" ² were doing the killing - was lost upon Posner. He set out with the ^{part} formulae that the fame and money was in arguing there had not been a conspiracy, whatever the evidence showed ^{and}, ~~thinking this is his chapter of the ultimate proof~~, he ~~gathers his supposed proof of it for this chapter.~~ (Pages 321-342).

Not to take it out of order but to set the tone and establish Posner's concepts of truth, accuracy, honor, ethics and morals that we began with a small part of ^{his} his intended killer chapter, with his ^{and he alone} pretending that ~~he~~ made an amazing and entirely new ¹ discovery, ~~available only to him and made by him and him alone,~~ ^{the} ~~an~~ unprecedented, revolutionary discovery coming from what he, Dick Daring, saw in that amazing, unprecedented "enhancement" of the Zapruder film, ^T that turned out to be a calculated theft from ^a ~~the~~ ^{story by} genius of a 15-year-old boy, David Lui. We ^{saw} ~~are~~ also how calculated his ^{the} ~~theft~~ was, masking it with his tricky ^{ones} footnotes that characterize his unrivaled scholarship.

Not realizing that ~~he~~ was ^{was} ~~la~~pooning himself in this or, the inadequacy of his scholarship being what it is, or not caring, ~~which is more likely,~~ although it is explicit in Lui's article some of which he stole, Posner's actual source, which had nothing at all to do with his rare "enhancements," was the unaided vision of that boy, who

had as his source a pirated and not very clear copy of that film. ~~By~~ ^{Lui} neither had nor needed any "enhancement," ~~real or as imagined by Posner.~~ That ten years earlier the same information ^{no} was available - published - with ^{no} access to that film at all - Posner masked by attributing to the Nobel Laureate Luis Alvarez what Alvarez's students had read in Whitewash and asked him about, that "jiggle theory" ^{It was} also first reported in the same ^{book} ~~source~~ ^{before Lui saw it.} also a decade earlier.

His theft ~~in~~ had brief treatment only, on page 321, ~~and then~~ ^{he} then ^{jiggled} ~~in~~ ^{the} next page, ^{with Alvarez} ~~with Alvarez~~ ^{Treating that treason} ~~with Alvarez~~ ^{most earlier} ~~with Alvarez~~ ^{scanned} ~~with Alvarez~~ ^{That earlier treatment in this book was} ~~with Alvarez~~ ^{was} ~~with Alvarez~~ ^{unexaggerated and did serve to inform the} ~~with Alvarez~~ ^{reader about the true nature of the book and its} ~~with Alvarez~~ ^{much} ~~with Alvarez~~ ^{much} ~~with Alvarez~~ ^{heralded author} ~~with Alvarez~~ ^{at the}

outset. I deemed that both necessary and fair to prepare the reader for the unprecedented dishonesty¹ of the entire project in its rewriting of our history before the largest possible international audience, ~~with~~ ^{was his} Posner's published and the CIA ~~has~~ ^{is} indispensable partners. ^{effect}
In fact, they are coconspirators.

By now the reader has seen ~~that~~ Posner's ~~self-characterization in his introduction of his~~ ~~many literary theories~~ literary ~~theory~~ ^{theory} thievery is valid for the entire project. ^{Literary thievery}
That ~~was~~ not just a little mistake, a failed recollection attributable to the mass of ~~the~~ the available material or another kind of unintended error. It is a faithful reflection of the author and his work.

That ~~his~~ ^{was} book would inevitable be based on some gimcrack ^{from} as obvious for the first mention of it by his publisher, quoted earlier from that ¹ Published Weekly article in the issue dated May 3, 1993. To anyone with comprehensive knowledge of the subject matter and the information available it ^{was} as apparent that the initial claim for ~~all the book was supposed to accomplish~~ ^{what} came from "enhancements" of the Zapruder film is an impossibility. That Random House had ⁹ avoided the usual peer reviews and clearly had not asked itself the two basic question, ^{reasonable,} is this possible, and if it decided that P Posner's work met that test, then asking, really seeking to learn, is this possible, meant that the dishonesty of the entire project was not what Random House had no reason to suspect. The note I made as soon as I saw that magazine reflects the certainty, before a word of the book's contents was known, ^{is} that the book itself ^{was} a fraud. Since Random House made that boast to promote the book ¹ there has been no real question about its built-in dishonesty. But it was ^{only} examination of the book itself that disclosed the actual, unprecedented totality of this dishonesty. I certainly did not expect it or I'd have endeavored to get the first copy of it available locally. I never dreamed from the Posner's visit that Gerald was capable of what he perpetrated, with the help of the CIA and of Random House. ¹ Until the book was out the CIA's indispensability in the entire project was not known and there was no reason to suspect it. And until the extent of Random House's promotional ~~effort~~ efforts and widespread, international sale of the ancillary rights to the book was visible, there was no reason to suspect it would happen,

either.

What seems to have influenced reviewers as well as those famous big-name personalities who wrote the pre-publication puffery for it on the dust cover is Posner's supposed mustering of the corpus delicti evidence, the evidence of what lawyers call the body of the crime, in this chapter that either without perceiving it or not ~~waring~~ Posner titled with the proclamation of the conspiracy the book is dedicated to proving there had not been.

Once again, ~~this~~ what Posner does in this, his important, ~~wrap-up~~ wrapup chapter, reflects the absolute indispensibility in responsible publishing, publishing intended to be honest and faithful to fact on controversial nonfiction, ~~is~~ authentic peer review. In demonstrating this all over again it is not necessary to address and assess all the dishonesties and errors in it. Posner's intended trickery ^{and thievery} with those innocent children, the ten-year old Willis girl and the fifteen-year-old ~~girl~~ ^{boy} ~~Lui~~ boy, are faithful to the ~~entire~~ ^{this} chapter and to the entire book.

This chapter alone also reflects the fact that while Posner castigates all "theorids," to him theories being ~~restrict~~ ^{of} to represent "conspiracies" only, in fact his book is dependent upon a ~~wider~~ larger number of them and a wider variety of them than any of the books espousing theorized conspiracies to kill. His book, like the Warren Report itself, is a theory, the opposite theory, that there was no conspiracy to kill.

~~From the~~ From the time that Report was issued there was never any question about this ~~it~~ ^{is} it is a concatenation of theories. In a few of the previous chapters we have seen how, on impartial examination, the supposed supporting evidence ^{does} did not exist and, in fact, that supposed supporting evidence not only proved the opposite of what ~~it~~ was alleged official, ^{by} it actually proves that Oswald was framed.

Only the willing collaboration of the major media in that palpably untenable ~~gover~~ official mythology kept that Report from exploding in official faces on its issuance.

~~The unquestionable actualities, limited to those that are known only, and that there is much that is not known was the official intent from the outset, make this inevitable true of what can not unreasonable be described as the de facto conspiracy of Posner, R Random House and the CIA. Examination of this chapter leaves that without any question at all.~~

We assess this ^{for} with what is Posner's absolute need for him to have a book at all, his thievery-based theory, ^{and} it is only a theory, that the first shot missed. His "proof" of the claimed timing is that the ^{little} girl stopped and looked around because she heard that shot at that moment, for all the world as though what causes a child ^{to do anything} can be determined with certainty when it is not in fact ^{n/} known. James T. Tague suffered a minor injury from that ¹ first shot. We now examine Posner's version of Tague's story and what he represents is the scientific evidence supporting ^{his} Posner's version.

in this his wrapup of the evidence chapter,
 Of all the many attractive targets Posner presents, the one that initially interested me most, is ~~both~~ indispensable to his baseless ^{fabrication} invention, that the first of the known ~~xx~~ and admitted shots is the one that missed, ~~and its characteristics of what~~ ^{It typifies what} those dust-jacket puffer-uppers describe ~~what they refer to~~ ^{saying is} as his research, ~~that it was~~ "brilliant (two of the four), " ~~meticulous,~~ "meticulous," "historical." "always conclusive" and "thoroughly documented." *390 A here*

To Posner this is the James Tague story to which he adds what he represents as the scientific proof of his ~~xxxxxx~~ ^{interpretation and} version by the FBI.

In it ~~he~~ ^{Posner} again demonstrates one of his major purposes in all those time-consuming and costly interviews: he uses them to avoid the official ^{proof} evidence that does not suit his preconceptions as well ^{as} what he can contrive by ignoring that available official evidence. Voluminous and court-tested official evidence ^{it} too. ~~and~~ all available to him free and at the ^{very} outset of his work.

This official evidence begins with Tague's ~~testimony before the~~ Warren Commission ^{(7-14-53) and} testimony, and it includes all ^{those two} ~~obtained~~ ^{the of which} in that FOIA lawsuit that first led to the amending the Act in 1974 to open FBI, CIA and other such files to FOIA access. It includes what both side used and produced in that litigation. It includes all the documents I obtained in that suit, C.A. 75-0226, and in the related suits, C.A.s 78-0322 and 0420. The first was for the results or all the FBI's scientific testing and the second was for the assassinations ^{records} of first the Dallas ^{FBI's office} and ~~then~~ ^{the second three of it} the New Orleans office ^{I took} records. It includes the depositions of four of those FBI lab agents, and this is relevant to more of Posner's horsing around with ~~the~~ ⁱⁿ scared history ~~that~~ the Tague missed-hot shot element, ~~what~~ ⁱⁿ these agents testified to under oath. It also includes an affidavit Tague, assisted by his wife Judy, prepared for me to present and I did present ~~in~~ in that suit for the test results.

This affidavit has the merit, the value of being an independent statement of what ~~the~~ ^{Tague} Tague knew and believed to be significant.

All of this plus my file of correspondence ^{Tague} with ~~them~~ ^{Tague} was right where Posner spent those three days searching and copying from my files. He ~~was~~ ^{Tague} never asked me a word about

the Tagues, the evidence I obtained, or what those lab agents testified to or what I had learned by ~~as~~ ^{then is required in} much effort ~~as~~ writing a book ~~requires~~, or what I had published, which he had and ~~could use~~ ^{anyway}. In three days, ^{important,} really as indispensable as all of this ^{information} is to any honest ^{or Posner} writing about it, he never asked me anything about it. He never indicated even casual interest in it. He told me his book would not address any such information. And he wound up substituting ^{January, 1992} his own interview of Jim as his sole source on what Jim said and knew and could say. ^{Posner} He is finished with that in a single paragraph of about a third of a page in his treatment of this missed shot of ^{entirely} about two pages.

(Pages 324-6)

What Posner used of that interview he says was over a two-day period (Page 553) is less by far that was available in many published sources ranging from the newspapers to my books.

For this he had to ^{Posner} go to Texas and spend two days interviewing ~~the~~ Tague?

Again, ~~straggle~~ bearing on his intentions from the outset and his lies to me ~~about~~ about what his book would address and be limited to, that was the month before he came here.

This makes the dishonesty of his intent what he began with.

Even what Tague testified to and how he came to testify and the importance of that date is not reflected even in Posner's end notes ~~page~~ (Page 553). ^{Posner's} readers ~~cannot~~ cannot tell from his book even that ^{Tague} he testified before the Warren Commission, leave alone ~~participate~~ ^{participate} participate in the lawsuit to bring the evidence as reflected in FBI records to light. There is ~~no~~ ^{no} reference to that lawsuit in the book, either. ~~That~~ That

All of this is really "brilliant" and "meticulous" research but only for an intended disinformation.

I was not interested in disinformation. I ^{was} interested in information that would have been important if Posner had ever had the slightest interest ⁱⁿ what those poor, deceived big-name, pre-publication endorses refer to as "historical," "brilliant" and "meticulous" research.

But even how this missed-bullet matter, which the Commission had entirely ignored

was forced upon it and what that then required of it is suppressed ^{by} Posner. He gets ^{himself} his self so tied up in his whitewashing that he even ~~st~~ stumbles ~~with~~ over his own covering up that is indispensable to his own concoction.

Tague was ~~slightly~~ wounded by a spray of concrete from the cubstone ^{twenty feet east of the triple curbstone} struck by that missed bullet. We'll come to why the FBI had to ~~dig~~ dig it up. But the facts are so far from Posner's concern that he has the FBI digging that section of curbstone ("sample" to him), the month before it had to and did. (page 325)

My source on what compelled the Commission to acknowledge the existence of this missed shot, of which it ^{and the FBI} knew from the outset, was the Dallas Morning News then chief photographer, Tom Dillard. Although I tell the story that follows in Post Mortem, which Posner had, a print a picture of where that missed shot ^{m/} impacted that Dillard gave me in that book, he is mentioned by ~~no~~ Posner only twice, once as merely a "witness," (Page 237") and then as a "journalist" (page 246) and thus Posner deliberately suppresses all that lets his reader know that Dillard was a professional photographer and took pictures of enormous evidentiary importance. We see his remaining picture later.

What ^{Dillard} ~~Tom~~ told me and is completely validated by the documents I obtained in the litigation is that when in June, 1964, he covered a news event just after one of those innumerable leaks by the FBI to condition the public ~~mind~~ mind for what was coming, the account of what was as of that time the official "solution," and he saw ^{Harold Barefoot Sanders, the Dallas} ~~the~~ United States Attorney ~~in Dallas~~ there, he told him that the story he had seen was wrong because it did not mention that missed shot the impact of which he had photographed the day after the assassination and his paper had published. Sanders notified Rankin ^{through his assistant, Martha Joe Stroud,} in writing, and as of the moment Rankin got the information from Sanders the Commission could no longer ~~ignore~~ ignore that missed shot. The farcical nature of what then ensued, not the least of ~~it~~ the FBI's self-portrayals Keystone Kops, along with the background, including how early the Commission knew about that missed shot, really ~~is~~ ever so much more than Posner has in his 1993 "brilliantly researched" treatment so indispensable to his entire mythology, was ^{first} public in 1965, in Whitewash, which Posner had, on page 158:

Minutes after the assassination, Patrolman L.L. Hill radioed, "I have one guy that was possibly hit by a ricochet from the bullet off the concrete" (R116). James T. Tague had left his car at the end of Dealey Plaza opposite the Depository. He was slightly injured on the cheek and immediately reported this to Deputy Sheriff Eddy R. Walthers (7H547,553), who was already examining the area to see if any bullets had hit the turf. Patrolman J. W. Foster, on the Triple Underpass, had seen a bullet hit the turf near a manhole cover. Other witnesses in the same location made and reported similar observations. Walthers found a place on the curb near where Tague had stood where it appeared a bullet had hit the cement, in the words of the Report. According to Tague, "There was a mark. Quite obviously, it was a bullet, and it was very fresh" (R116).

Photographs of this spot were taken by two professional photographers who were subsequently witnesses in another connection. Tom Dillard had photographed the south face of the Book Depository Building. James R. Underwood, a television news director, had made motion pictures of the same area and had been in the motorcade.

From its own records, the Commission did not look into this until July 7, 1964, when it asked the FBI to make an investigation, which produced nothing. I discovered this entirely by accident, for there is no logical means by which to learn of it. What follows is a credit to neither the FBI nor the Commission:

Not until September 1, with its work almost done, did the Commission call back Lyndal Shaneyfelt, the FBI photographic, not ballistics, expert. Assistant Counsel Norman Redlich took a deposition from him beginning at 10:45 a.m. at the Commission's offices (15H-686-702).

The previous investigation was reported in an unsigned memorandum of July 17, 1964, from the Dallas field office (21H472ff.). In it, the author politely called to the Commission's attention that the photographs in question "had been forwarded to the President's Commission by Martha Joe Stroud, Assistant United States Attorney, Dallas, Texas".

In other words, if the FBI was going to be subject to criticism for not finding what the Commission wanted, the FBI was going to have it on record that there was no need for the Commission to have delayed seeking further information.

This FBI report quoted Dillard as locating the point at which he took the picture. It was, he said, "on the south side of Main Street about twenty feet east of the triple underpass". The FBI Dallas office said, "The area of the curb from this point for a distance of ten feet in either direction was carefully checked and it was ascertained that there was no nick in the curb in the checked area, nor was any mark observed". In the concluding paragraph, repeating the above information almost word for word, the Dallas Field Office concluded, "It should be noted that, since this mark was observed on November 23, 1963, there have been numerous rains, which could have possibly washed away such a mark and also that the area is cleaned by a street cleaning machine about once a week, which would also wash away any such mark."

Imagine the fable FBI telling the Commission that rain or street-cleaning equipment could ~~wipe~~^{"wash"} solid concrete away!

There is much more on this, including the Dillard, ^{James} Underwood and official ^{by} curbstone pictures in Post Mortem, pages 454,460. and 608-9¹⁰. Aside from the fact that all of this does not exist to the Posner of that truly "definitive" and historical" research and thus he does not tell his reader about, it ^{original-}undrrscores the ~~original~~ intent dishonest of his entire project, this something^{h/}-special book.

What Dillard, who was very friendly, open and accomodating told me is that after he ~~saw~~ informed Sanders of the actuality of the missed shot and the existing proof of it and ^{Sanders} he put Stroud to work on it and the Commission finally, ~~came~~ more than a half

year too late, got ~~cracking~~ ^{Dillard} on it, those ~~he~~ ^{he} referred to as "the federales" came and took his best ~~negatives~~ ^{negatives} of that ~~bullet mark~~ ^{bullet mark} on that curbstone. I was so ~~for~~ fascinated by his first-person ~~account~~ ^{account} of this so important an element in that so important an ~~even~~ ^{event} in our history, proof that a ~~Presidential~~ ^{Presidential} Commission was proceeding with what it ~~know~~ ^{know} was an enormous fraud in its "solution" of that crime, I forgot to ask Dillard who he meant by the "federales". He did tell me ~~that~~ ^{that} those negatives ~~of~~ were not returned and he did ~~print~~ ^{print} ~~me~~ make the print in this book for me from what he said is his best remaining negative. ~~XXXXXXXXXXXX~~ ^{Confirming} ~~me~~ ^{me} that his best negatives were gone ~~if~~ the fact that the electrostatic copy he made of his picture as published at the ~~time~~ ^{time} of the assassination is ~~clearer~~ ^{clearer} that a print he ~~made~~ ^{made} from his best remaining negative.

That Posner made no reference to what was published long before he ~~geba~~ ^{geba} began his personally ~~re~~ ^{re} ~~writing~~ ^{writing} of the history of that terrible ~~crime~~ ^{crime} speaks for itself. What was published in just these two books of which he knew makes his intent to ~~lie~~ ^{lie} ~~about~~ ^{about} this most basic of ~~evidentiary~~ ^{evidentiary} evidence obvious as the design with which he began.

The Tagues were the most considerate of hosts and the most ~~helpful~~ ^{helpful} ~~when~~ ^{when} I was their guest for a week. It was a bit more chaotic than anyone could expect because that was ~~the week~~ ^{alleged assassin of Martin Luther King, Jr.} James Earl Ray escaped from Tennessee's maximum-security jail, Brushy Mountain. I had been his investigator. I conducted ~~the~~ ^{the} investigation for the habeas corpus proceeding by ~~means~~ ^{means} of which he got an evidentiary hearing. That was to determine whether or not he would ~~get~~ ^{get} the trial he ~~never~~ ^{never} had. I had then conducted the investigation for those two weeks of hearings and, sitting at the counsel table during them, ~~became~~ ^{became} known to the media as the case investigator. As a result, when Jimmy actually did escape from that mountain fastness, what after ~~being~~ ^{and long} there often I ~~would~~ ^{would} ~~have~~ ^{have} believed was close to impossible, I was the Tague's guests and their phone ~~stayed~~ ^{stayed} pretty busy with ~~st~~ st ~~acked-up~~ ^{acked-up} calls from reporters all over the ~~co~~ ^{co} country.

There is no reason to believe that the Tagues were any less open, friendly and helpful with Posner than they had been with me. There thus is not reason to believe that Jim ^{Tague} did not volunteer to him the story he told me that it is not possible ^{not} to interpret as solid proof of a conspiracy to kill JFK.

295A

See also the formerly TOP SECRET January 21, 1964 executive session transcript in Post Mortem, pp. 475 ff)

While

While this makes it understandable that Posner would not want that in his book, it also says that he knew his book was a fraud before he ^Wrote a word, that he began intending to perpetrate that fraud. I tell the story in Post Mortem, where I have many ~~ref~~ references to Tague, what he said and what I learned from him (Pages 55, 57, 62, 92, 120, 122, 268, 295-6, 306, ~~333~~ 338, 453-5, 459-60.)

Then, too, there is ^{his} that excellent and informative affidavit I filed in that lawsuit. And the beginning of this mystery is amply in those ^{Commission m} volujes that Posner invested so much time in ~~in~~ ⁿ mastering their content and then indexing them.

It ~~is~~ ^{my} simply is not possible that Posner did not know about what he suppressed.

That ~~what~~ ^{what he did} he suppressed is also in the FBI's interest ^H and should have been of interest to those whose trust he imposed upon and ^{kes} me he made no mention ^{of} in his book ^{is} that the FBI's predetermination that ~~there~~ ^{no} missed shot ~~not~~ ⁼ be acknowledged. It has never abandoned and it wished upon the Commission to begin with. (In facsimile in White Whitewash, Pages 192-5) 295

^{That} ~~the~~ mystery, as ^{learned} first indicated by Wesley Liebeler when he deposed Tague, is that the curbstone was patched when Oswald could not have done it and when nobody other than a conspirator has any interest in what that curbstone patching meant.

~~And~~ ^{even} the scientific opinion that this curbstone had been patched was in my file labelled "curbstone" in the "subject" files in which Posner spent most of his time when he was here.

^{since} I ~~inced~~ ^{enough} ~~no~~ words: Posner knew ^{if he did not see it all,} all of this from what he got from me. It is also in the court records in Tague's affidavit and in several of my ~~own~~ ^{own}, and that, too, tested as ^{it was} by the adversary ~~exam~~ system and undenied by the government, Posner ignores ~~and~~ suppressed.

~~In~~ ^{standards} ~~his~~ ^m ~~despite~~ its being by his own the best evidence that he himself should have

^{is his actual records his printing} used and that he enunciated so clearly himself:

^{yet} "its ~~(despite)~~ ^{is being} his own ^{best} evidence standard that "Testimony closer to the event must be given greater ^{weight} weight" ^{and} he depends on his ¹⁹⁹² interview ^{and ignores all better sources,}

When he had all that 1964 testimony free? All that ¹⁹⁶⁵ book that brought that testimony

There are fascinating aspect of this intriguing history, he had at the least the leads and knowledge of the probabilities, ~~if~~ he could have had it all, and ~~if~~ if he did not ask Tague what he knew about it, unless Tague knew he did not ^{want} want it, there is ~~no~~ reason to believe that Tague did not volunter it.

and the then available related evidence to light, and he had that?

This despite all the treatment and photographs in Post Mortem that he also had?

Despite all that emerged in the lawsuits that lasted a decade and filled file-cabinet drawers?

This, a scant single paragraph in ~~600~~ six hundred pages, with all that he ignored at hand, and for what was no more than a brief newspaper ~~story~~ ^{story} he took ~~two~~ two days to interview Jim Tague?

That is what his endnote (page 553) says. It required both days for the content of this single paragraph that ~~so~~ ^{says} so little and then ~~nothing~~ ^{says} that had not been in the papers decades earlier?

Does one wonder whether he could safely ~~cross~~ ^{slip} a street without a boy scout assisting him?

This the outstanding, daring investigator who traced that bestial Nazi doctor, Mengele, ~~thru~~ ^{wild} through South America's ~~uncharted~~ jungles?

Of did he have a seeing-eye dog ~~or~~ ^{or} other help - then, too?

296* → And a great history of which he knew and he could have had, if it it was not volunteered, a first-person ^a account?

Or is it - can it possibly be, that not later than January 19 and 20, 1992 he knew without question that there had been a conspiracy to kill the President and he still went ahead and published this monument to his unique capabilities that says, with all that impressive endorsement and all that unprecedented international attention - ~~that says~~ the exact opposite of what he had from other sources ^{when} but right there in front ~~of~~ ^{he} him ~~had~~ ^(on some of it in the entire world) the best first-person source ~~to~~ give him all the details?

That is investigating? A crime of this magnitude?

Well, it is, Posner-style, apparently.

~~It~~ ^{It} by any chance, despite his boasted-of career as a "Wall Street lawyer," he found ~~comprehension~~ comprehending the testimony too much for him, that same testimony of which he set out to ~~be~~ ^{did} and present himself as the world's greatest authority, the testimony he even indexed, it was simplified and drawn together for him in what he had, Post Mortem.

There they were, just the two of them, Tague^u and Liebeler, plus the ^{ks}secret-keeping court reporter who took it all down for ~~the~~ verbatim transcription, beginning at 3:15 p.m. the afternoon of July 23, 1964, "in the office of the United States attorney" in Dallas. (7H552-8, not a long deposition, either) Liebeler had gone over what had appeared in the papers with Tague, that he had had been wounded slightly, then how his minor wound was observed before he was aware of it, then that there ^{was} ~~was~~ a short period in which Liebeler did not interrupt Tague. Tague then testified that the unnamed deputy with whom ^{he} Tague walked to the spot on impact, probably the late Buddy Walthers, when the Deputy said, "Look ^{it} here here on the curb." and Tague then said, "There was a mark quite obviously that was a bullet and it was very fresh. (Page 443) A policeman even said that he had seen something flying up from the curbstone. The ⁿ came the beginning of the surprise. ~~XXXXXXXXXXXXXXXXXXXXXXX~~

I use the official published transcript in which Posner had immersed himself for his massive study ^d and indexing rather than my bringing ^{of} it all together for ~~easier~~ easier reading because Posner ~~clearly~~ clearly does not approve of my books. Note that his reader can get the vaguest ⁺ notion of what they are or what they contain or do. In his ten references to me he mentions ^{only} ~~one~~ one book, ^{the} ~~my~~ first, once because he believes I should have loved that woman-patient screwing shrink Hartogs as he did and once a general comment. But his disapproval is clear, so I use the official transcript. I quote a little more than for the point I next make because it is informative and because we return to it later as we learn more about ^{why} Posner went to all that cost and trouble for so many of those two hundred interviews he ~~had~~ had:

Mr. LIEBELER. Do you have any idea which bullet might have made that mark?
 Mr. TAGUE. I would guess it was either the second or third. I wouldn't say definitely on which one.
 Mr. LIEBELER. Did you hear any more shots after you felt yourself get hit in the face?
 Mr. TAGUE. I believe I did.
 Mr. LIEBELER. You think you did?
 Mr. TAGUE. I believe I did.
 Mr. LIEBELER. How many?
 Mr. TAGUE. I believe that it was the second shot, so I heard the third shot afterwards.
 Mr. LIEBELER. Did you hear three shots?
 Mr. TAGUE. I heard three shots; yes sir. And I did notice the time on the Hertz clock. It was 12:29.
 Mr. LIEBELER. That was about the time that you felt yourself struck?
 Mr. TAGUE. I just glanced. I mean I just stopped, got out of my car, and here came the motorcade. I just happened upon the scene.
 Mr. LIEBELER. Now I understand that you went back there subsequently and took some pictures of the area, isn't that right?
 Mr. TAGUE. Pardon?
 Mr. LIEBELER. I understand that you went back subsequently and took some pictures of the area.
 Mr. TAGUE. Yes; about a month ago.
 Mr. LIEBELER. With a motion picture camera?
 Mr. TAGUE. Yes; I didn't know anybody knew about that.
 Mr. LIEBELER. I show you Baker Exhibit No. 1, and ask you if you took that picture.
 Mr. TAGUE. No; not to my knowledge.
 Mr. LIEBELER. In point of fact, that picture was taken by another individual; I confused the picture taken by somebody else with the picture I thought you had taken.
 You, yourself did take pictures of the area about a month ago?
 Mr. TAGUE. Yes; my wife and I were going to Indianapolis. This is the home of my parents. I was taking some pictures of the area to show to them. This was the latter part of May.

Mr. LIEBELER. Did you look at the curb at that time to see if the mark was still there?
 Mr. TAGUE. Yes.
 Mr. LIEBELER. Was it still there?
 Mr. TAGUE. Not that I could tell.

Tague was surprised that Liebel^r, or anyone else^r knew that he had returned to where he became part of the country's history ~~that~~ ^{that} that fateful day to take pictures so he could show them to his parents when he went there on a planned visit. Liebeler never told him how they knew^{Tague had fallen away} or why he believed he had Tague's picture. Tague was still ^{years later} puzzled about that when I was his guest for that week.

I have seen no Commission or FBI record with any reference to any pictures ~~Tague~~ Tague took. So the mystery that remains is how anyone in any official position knew and why Liebeler thought that the FBI had made prints of it for the Commission.

The ~~the~~ big and ignored mystery^{is} that the curbstone had been patched. Why would anyone want to see to it that a small ^{a chip or scar} nick or hole in curbstone ^{was patched?} that always have them and have them remain unpatched would anyone patch this little piece of it?

We'll come to that.

There is no greater certainty ^{than} that Lee Harvey Oswald could not have been the ~~pat~~ curbstone patcher!

Liebeler is vague about the date Tague ^{re} returned to take pictures. He told me he went there with an 8m eight millimeter home movie camera and that it was in May, 1964.

The ^{re}, what ~~of~~ certainly Tague would not have kept secret from Posner after telling me about it, his home was burglarized and the only thing he could be certain had been taken was that reel of film!

^{The film} That to the best of his knowledge nobody knew he had ~~other than~~ ^{taken.} that Liebeler had referred to it.

There was what could have been considered of value in Jim's home. ^{big burglar} He was not, as in records officials never expected to be public they sought to deprecate him as "a used car salesman." Tague was, in fact, one of the country's highest-rated ^{Tague's} ~~see~~ auto fleet salesman, as I recall only four in the whole country outperforming him.

But nothing else was taken.

Before we get to what else is important, because I've commented that Posner found use for only a single paragraph of those ^w ~~two~~ days ~~in~~ of his Tague interviews, examination of some of what he wrote in that third of page can be illuminating.

He says that Tague when wounded slightly "was standing under the southern end of the triple Underpass." Tague told me, ^{as} he had testified, that he was to the ^{of} west of that, near the southern curb where ^{of} Commerce, on the South, Main in the center and ^{street} Elm on the ~~of~~ north funnel together to go through the underpass as a singly ^{of} street.

Posner says that this spot "was in a straight line from the sniper's ⁺ nest." That, obviously, would be as true through ^{any} such of a one-hundred and eighty degree ^{arc.} ~~circle~~ from that window. Dirty, dishonest writing, Posner's own, unsourced. Posner considered this deception and misrepresentation significant enough to have ^{it} ~~two~~ ~~ways~~ in that single paragraph.

Then, citing ~~no~~ source, Posner says that it was a bullet "fragment" that had struck the curb. If it was not, and of that there is no proof at all, ~~on~~ that basis alone, too, Posner has no book and there was on that basis alone a conspiracy.

So, what else could Posner say and still have a book?

He then quotes Tague as saying of that ~~missed shot that didn't miss him~~, "I actually ~~cannot~~ can't tell you which one. I could try to pick one, but ~~for~~ through the years I have ^{my} maintained accuracy. I don't know which one hit me." (Page 325)

Here is either a ⁵ first-rate endorsement of Posner's proclaimed and ignored standard, that the testimony closer to the event is the best, because, as we have already seen, "closer to the event," ~~was~~ ⁱⁿ his July 1964 deposition of almost thirty years ^{before} ~~refer to~~ Posner's interview Tague said, under ~~oath~~ oath that he believed it was the second shot that ^{missed and caused his slight injury} hit him. Obviously, Posner's book cannot survive that, either!

The Jim Tague I knew and liked impressed me as an honest man and I believed that his earned reputation for honesty is what made him as successful a vehicle fleet salesman as he was. He may have made a mistake after all those years ^{but} I do not ~~think~~ think he did. If he did not make mistake, then Posner was untruthful in ~~his~~ his direct quotation of Tague. ~~And only~~ ^{only} Posner can know ^{that}.

Much of the rest of this remarkably brief treatment of what is & so vital in Posner's theory- and yes, it is all theory - is devoted to argument, some of it the most shocking ~~of~~ reflection of ignorance from a supposed world-class expert:

~~missed first shot.~~ Only a bullet fragment hit the concrete near Tague, since when the FBI later performed a spectrographic analysis on the curb, it showed "traces of lead with a trace of antimony."³⁷ The 6.5mm bullets used in Oswald's gun had full copper jackets (a metal covering on a bullet, designed to increase its penetration). Since there was no copper found on the curb, it meant the fragment that struck was not jacketed. Agent Lyndal Shaneyfelt testified that the lead instead came from the bullet's core. (Pages 325-46)

Not being or claiming to be a Posnerian mind reader I freely acknowledge that there is an alternative to ^{this representation} world-class ignorance. If Posner ~~prefers~~ prefers that, I have no objection.

We'll come to ~~more on what~~ the actualities of that ^{FBI} spectrographic analysis that is still another vital element of Posner's no-conspiracy theory and his vaunted "solution" to the crime. The source he cites is ~~in~~ ^{FBI} Lab Photographic Expert Lyndal L. Shaneyfelt's ^{Commission} testimony. That, by Posner's own standard as well as the standard

Before consulting what Shaneyfelt actually said and one of the remaining selections from Tague's testimony that Posner did not consider as useful ~~to himself~~ ^{and} those two days ^{of} ~~in~~ interviews he encapsulated into a single paragraph, we should bear in mind the paens of praise we read earlier.

This is another of the endless statements that leave but two choices in examining what Posner says. Both may apply at times. But if he knew anything at all about that kind of testimony by those kinds of experts, he would know that they never did or would make that kind of statement.

If He knew anything at all about ^{of} those bullets about ~~each~~ which he writes as though he were ~~the world's~~ one of the world's most eminent experts, on that basis alone he would have known that no expert could possibly make any such statement.

Even an intelligent and informed gun buff would know better.

The obvious alternative is that Posner did know and lied because he needed that lie to make his ^{of} case.

We'll have more on this, but

of all, even Wall Street lawyers, ^{still} is not the best evidence. If what Shaneyfelt actually told the Warren Commission has the meaning Posner gives it. The best evidence came from the man who did the actual testing, John F. Gallagher. That Posner did not want. It was with all my files on that case in the stenographic transcript of our deposition of him in that case. ~~And~~ Gallagher did know what a bullet is made of. As Posner here ^{- or pretends -} reveals, he does not.

Posner's parenthetical explanation for hardened jackets on military ammunition, not the only one he gives, those he does give not being ^sconsistent either with each other or with the provisions of ^{that} the ^{Geneva} international agreement on this, ^{that} he does not mention, if he knows about it, that it is to "increase its penetrating ~~power~~ ^{on} ~~power~~ is consistent with the need of Posner's fabrication, however. But the real reason, and the research on this was done for me at the Pentagon by a ^{relatively} high-ranking and very conservative friend, is ^{to} make warfare a little more "humanitarian." The tea jacket is to deter the bullet becoming in effect a dum dum on impact, and ^{then} to make the most horrible wounds as it tears its way through the body, spiraling more devastatingly as it ~~it~~ goes. The jacket is to deter that, not to increase the "penetration." For war this also has another value. It takes nobody out of combat to care for a corpse, but it can take the average of five men out of action to care for a wounded man. Those are five men who cannot fight the army that caused the wound.

This Posner file follows with another of his absolutely necessary statements of other than fact: "Agent Shaneyfelt testified that the lead ^{instead} ~~instead~~ came from the bullet's core." ^(Page 326) "I don't have to check Shaneyfelt's testimony to know he did not say any such thing. And why else would No Source Posner leave this without any source?"

301
A
HLL
This reason is apparent: he can have no source for that statement at all. ^{FB} Before consulting what he actually ~~said~~ of what there is in Tague's ^{of} deposition that ~~Shaneyfelt~~ Posner did not consider as useful to him in remarkable work of his that no less an authority than David Wise said, "If you read only one book on the assassination, let it be this," and William Styron ^{of} said, "Case Closed has helped lay to rest one of the great cultural and political scandals of our time" ^{of} and the eminent historian, Stephen Ambrose,

Case Closed

also on that ~~one~~ Random House dust jacket said ~~is~~ is a "model of historical research" that "should be required reading for anyone reviewing any book on the Kennedy assassination," there is one other excerpt for that "closer to the event" sworn testimony by Jim Tague that does not exist in Posner's book even as a note - this testimony does not exist, according to Posner, and who came blame him!?

Q Then also among the extraordinary endorsements of this "brilliant ~~and~~ model of historical research," "this ~~is~~ ^{what the} thoroughly documented," this "brilliant and meticulous" and "always conclusive" *Case Closed* methodology that in devoting ^{much} most of an issue in which it ^{was} used and paid for the use of some twenty pages U.S. News and World Report said of Posner, "He just sweeps away decades of ~~po~~ ^{po} ~~lemit~~ ^{lemit} polemical smoke, layer by layer and builds an unshakable case against JFK's killer," ^{this is from what} ~~as~~ quoted by Jack Sirica ^{in which it} ~~in~~ ⁱⁿ Newsday that in its September 16, 1993 issue devoted the cover of its Part 2 and two inside pages to Posner and his most wonderful of books.

Posner's theory, and it is no more than that, so basic to the entire book, is that the first shot is the one that missed. Thus it can be understood that among the readily available sources for which he had no ~~use~~ ^{use} use is Jim Tague and his sworn Commission testimony ^{it} that in fact ^{is} this the very close closest "testimony" to ~~the~~ "the event" and thus must be ~~be~~ ^{be} given ~~to~~ ^{to} greater weight." "Only Posner's unique way of giving it "great weight" is to pretend it does not exist at all. In all those pages of his thick book it is not mentioned at all.

Liebeler was arguing with Tague about the source of the shots. In what I do not ^{quote} ~~quote~~ Tague can be said to be agreeing with him, that they all came from the TSBD building. In the beginning of this ~~selection~~ ^{selection} that Liebeler might mean by to Tague's left" and "back" depends on what Liebeler ^{was} careful not to ask Tague, which way he was looking at the instant in question. But it soon becomes apparent that what Tague was really ^{is where} ~~saying~~ ^{saying} those shots came from is what to Posner is the infamous Grassy Knoll. And as readers may recall, that is ~~precisely~~ ^{precisely} what Zapruder told the Secret Service.

307

Mr. LIEBELER. Immediately to your left, or toward the back? Of course, now we have other evidence that would indicate that the shots did come from the Texas School Book Depository, but see if we can disregard that and determine just what you heard when the shots were fired in the first place.

Mr. TAGUE. To recall everything is almost impossible. Just an impression is all I recall, is the fact that my first impression was that up by the, whatever you call the monument, or whatever it was—

Mr. LIEBELER. Up above No. 7?

Mr. TAGUE. That somebody was throwing firecrackers up there, that the police were running up there to see what was going on, and this was my first impression. Somebody was causing a disturbance, that somebody had drawn a gun and was shooting at the crowd, and the police were running up to it. When I saw the people throwing themselves on the ground is when I realized there was serious trouble, and I believe that was after the third shot was fired.

Mr. LIEBELER. Your impression of where the shots came from was much the result of the activity near No. 7?

Mr. TAGUE. Not when I heard the shots.

Mr. LIEBELER. You thought they had come from the area between Nos. 7 and 5?

Mr. TAGUE. I believe they came from up in here.

Mr. LIEBELER. Back in the area "C"?

Mr. TAGUE. Right.

Mr. LIEBELER. Behind the concrete monument here between Nos. 5 and 7, toward the general area of "C"?

Mr. TAGUE. Yes.

page 557

Among Tague's identification of the grassy knoll as the source of the shots is that "the ~~office~~ ^{police} were running up to" where the shots came from. ^{That is where they did run to} Those "concrete ^{and y} monuments" were also on that knoll, well past the westernmost end of the shed-type separate ~~but~~ ^{from which} building that itself is west of the main TSED building ~~that~~ ^{Posner} and the government say that Oswald fired all those shots from its easternmost window.

back now, with those above-quoted encomiums in mind, that that unsourced statement Posner says is what Shaneyfelt swore to.

Because I knew that innocently ~~included~~ but not necessarily always the case testimony can be altered before publication, long before Posner, whether alone or not, saw the enormous potential of an Oliver Stone caper from the other side, in my own checking, I went to the trouble and expense of getting the original, unedited stenographic transcript of Shaneyfelt's Commission testimony. What follows is all of ^{and 49} pages 43 of that stenographic transcript except the first four words, ^{on page 43} "of the triple underpass." He has been testifying to his removal of that ⁵ section of curbstome to take to the FBI Lab for the FBI's most expert treatment. his description of that curbstome is as he found it that day, August 5, 1964. ^(on the curbstome) What we compare this with is what Posner says that Shaney testified to, "that the ~~in~~ ^{lead} instead came from that ~~Bullet's~~ core:

304
~~CONFIDENTIAL~~

of the triple underpass. It was cut out under my supervision, and I personally returned it to the FBI laboratory. In the FBI laboratory it was examined for the presence of any foreign material.

Mr. Redlich. For the record, the results of this investigation have been summarized in a communication from Director Hoover to Mr. Rankin, dated August 12, 1964, and designated now as the Chaneyfelt Exhibit No. 27, is that correct, Mr. Chaneyfelt?

Mr. Chaneyfelt. That is correct.

Examination of the mark on the curbing in the laboratory resulted in the finding of foreign metal smears adhering to the curbing section within the area of the mark. These metal smears were spectographically determined to be essentially lead with a trace of antimony. No copper was found.

The lead could have originated from the lead core of a mutilated metal-jacketed bullet such as the type of bullet loaded into the 6.5 millimeter Mannlicher Carcano cartridges, or from some other source having the same composition.

The absence of copper precludes the possibility that the mark on the curbing section was made by an unutilized military full metal-jacketed bullet such as the bullet from Governor Connally's stretcher.

The damage to the curbing would have been much more extensive if a rifle bullet had struck the curbing without first having struck some other object. Therefore, this mark could not have been made by the first impact of a high velocity rifle bullet.

~~CONFIDENTIAL~~

112
O Mr. Redlich. Based on your examination of the mark on the curb, can you tell us whether the mark which we have been referring to is a nick on the curb, that is, has a piece of the curb been chipped away, or is it instead a simple marking of lead?

Mr. Shaneyfelt. Yes. It is not a chip. There is no indication of any of the curbing having been removed, but rather it is a deposit of lead on the surface of the curbing that has given the appearance of a mark. i A

It was also established from a microscopic study of the curbing that the lead object that struck the curbing, that caused the mark, was moving in a general direction away from the Texas School Book Depository building.

O Mr. Redlich. In connection with this investigation into the microscopic characteristics of the mark, a photograph was prepared which is designated as Shaneyfelt Exhibit No. 35. Will you describe that photograph?

(The photograph referred to was marked Shaneyfelt Exhibit No. 35 for identification.)

O Mr. Shaneyfelt. Yes. Shaneyfelt Exhibit No. 35 is a color photograph that I made of the mark on the curbing, which is Shaneyfelt Exhibit No. 34. This is magnified about five times, and shows only the marked area. There is a red area in the lower left corner marked A which designates the point of initial impact, and the lead deposit is then sprayed out in a fan-like direction from that area.

Obviously, Shaneyfelt not only did not say what ^{Source} Ho Spiere Posner attributed to him, he was quite careful not to say that. ~~He~~ His testimony was also limited to a curbstone that had no "nick" or "hole" in it. There is no secret about the fact that it was in some mysterious way patched before Tague went to photograph it in May, 1964. Shaneyfelt's testimony is ~~limited to the~~ ^{the one who did the} ~~one~~ second-hand or more distant from ~~him~~ ^(there was only one) testing and that was limited to "foreign metal smears." It is those "smears" that the ^{of} Lab tested in this ghastly charade of police work of science, or official investigations. ^{It is of them} If ~~them~~ and of them only, not the impact of either a bullet or a fragment of a bullet, that Shaneyfelt gave his hearsay testimony when the man who did the testing was nearby if anybody want ^{of the} what the courts require, first-hand testimony. Shaneyfelt gave the following descriptions ~~of the~~ result of that "test" that John F. Gallagher made:

"determined to be essentially lead with a trace of antimony."

Of the origin Shaneyfelt testified not, as Posner represents, that it came from the core of the ~~bullet~~ ^{Posner} he burdens with even more magic than the government did ~~but~~ ^{Shaneyfelt testified} that "the lead could have originated from the lead core of a mutilated metal-jacketed bullet such as the type of bullet loaded into the 6.5 millimeter Mannlicher-Carcano cartridges, or from some other source having the same composition."

The emphasis is added and the convoluted language is Shaneyfelt's.

Although there was no question about it at all the curbstone had at the least ^{to have} been chipped, Shaneyfelt testified that what he had dug up and tested "Is not a chip." He added, his convoluted language again, "There is no indication of any of the curbing (sic) having been removed, but rather it is a ^{deposit} of lead on the surface of the curbing that has given the appearance of a mark."

Although he testified ^(hearsay) second-hand, that "the object" that "caused the mark, was moving in a general direction away from the Texas School Book Depository Building." ^{This is not on the Lab records. They indicate the opposite way from 45°}

When Shaneyfelt had that section of curbstone dug up he knew that there had been a chip in it and he had it dug up nonetheless. There is no reason to believe that the vaunted FBI knew that self-healing curbstone had been invented and ^{were} in use in Dallas!

There is no innocence in this for anyone involved in the investigation, as there

(The FBI had no monopoly on delays and creating evasive records. Rankin, although he very obviously had been in touch with the FBI much earlier ~~XXXXXXXXXXXX~~ as the FBI's records reflect, did not get around to sending the FBI ~~Barefoot Barefoot Sanders'~~ ^{assistant} letter following his being cued in by Dillard until July 16! His letter to Hoover says, without any explanation of any kind, that he encloses the letter ^{from} Sanders' assistant, Martha Jle Stroud, "also enclosing the film referred to in this letter." He also asked that the FBI "examine this film and advise us whether it contains any additional information of probative ~~value~~ value in connection with the assassination of President "Kennedy." For all anyone ^{examining} these records later could tell "Rankin ~~was~~ could have been interested in whether Kennedy had eaten something that gave him a bellyache and that ~~a~~ ^{also} copies of the menu and of the restaurant had been sent to him. Is it not necessary to wonder when bureaucrats ~~who~~ ^{go} to all this kind of trouble to see to it that their correspondence can mean nothing at all to ~~no~~ anyone else they have a reason for it? Rankin had, after all, been the government's lawyer for eight years. As solicitor general of the United States he ~~took representation~~ represented the United States before the Supreme Court. Before which he surely ~~had~~ ^{has} no such gobbledegook! But when he was in charge of the Commission's ^{investigation} investigation of how Kennedy was killed, that he found appropriate for his incomprehensible gobbledegook.")

The FBI's file number for this Oswald file is 105-82555. Within that large file, this part of that testing is Serial ~~44~~ 4668X. The file drawers will reflect the serials each holds and the file folders identify the serials within each section, a single section or volume being in individual folders.

After what I quote ^{he} details the other ~~xxxxxxxxxxxx~~ pictures that were taken to ^{make} it appear that the original impact originated in that so-called "sniper's den" in the TSED.

Germelring, while less direct than he could add should have been, ~~and~~ made the ~~as~~ ass-covering record that his office is not responsible for the ~~max~~ ^{because it} firm charade ~~is~~ reporting ^{of} that there had been a "nick" on the curbstone and that when Shaneyfelt had the city of Dallas dig that section up for him for him to fly to his Lab for its employment of the most advanced science in testing, the nick was no longer there.

Among the other FBI records in that "Curbstone" file that ~~was~~ ^{will} of no interest to Posner-with the alternative no comfort to him- is the "Laboratory Work Sheet" It reflects, among other things of interest, the great dispatch with which the FBI rushed, ~~what~~ after the printed "Examination requested by" line ^{it} ~~has~~ typed ~~on~~ ^{it}, "President's Commission (7-7-64)" which is only a month earlier. ^{305 X}

After ^H ~~Under~~ "Examinations ~~as~~ requested" ^{is} typed Photographic-Spectrographic Microscopic-Firearms, the latter ^{is} on the line ~~below~~ below. ~~It~~ is encircled, reflecting that the copy is from that part of the Lab. Above "Microscopic" "Spectrographic" is written in. The ^{of} "date received" is 8-6-64. After "Examination by" only Shaneyfelt is typed in and under his name "Frazier" is written in. Thus there is on this first page no identification of the spectrographer. That was Gallagher. ^{PP} For those who may want to examine further into this long-delayed but first-day vital examination in my records, in the FBI headquarters "main" Oswald Oswald file. in the FBI's official file classifications list a "security-related" classification, ~~is~~ it is "Foreign Counterintelligence" with "formerly Internal Security" of "nationalistic Tendency" among the other descriptions of it.)

^{308A →} This page also has space at the bottom for comments to ^{be} added. It is under "Specimen submitted for examination." ~~under~~ it is typed, "Request for location ^{of} and ^{ex}amination of mark on curbing at assassination site." The copy disclosed to me ^{was} ~~made~~ less understandable by repeated xeroxing and ^{the} size of Frazier's writing diminishing as he neared the end of the ^{space} available to him, ~~is~~ ^{it is} in some places not legible at all.

Where what ^Ffrazier, the firearms, not the spectrographic expert, wrote is legible, he does say that the results of the test, seemingly the encircled "firearms" examination but actually the spectrographic examination, ^{show what he} ~~he is specific in stating that what he~~ refers to as a "minor disturbance" ~~on the~~ on the ^ccurb at its "edge," meaning the ~~of~~ curved edge between the horizontal and vertical surfaces, ^{of} have been caused ~~by the~~ by "the core portion of a metal jacketed bullet" like those allegedly used in the crime.

But immediately after that he also gives as the possible cause, "a (sic) automobile weight or some other source of lead."

This a lie and it is a lie of such a nature that ^FFrazier had to be sure there would not be any questioning of it.

In another version that I printed in facsimile in Post Mortem (page 458) in very legible handwriting the results of the Jarrel-Ash type of spectrographic analysis are said to disclose the result to be "essentially lead with a trace of antimony."

~~But~~ with the capability of that testing to show parts per million, ~~for~~ that area tested to have come from anything ^{at} at all it had to be "essentially lead with a trace of antimony." ^{nothing else! Except for that "essentially."}

For it to have come from the core of a bullet, it has to have revealed on the test all the componets of that lead core.

Superscholar Posner makes no reference to the other componets of that bullet,

That no doubt is because in another of these ~~test~~ test results that are also in Post Mortem w. facsimile, ⁱⁿ Gallagher's handwriting, he has a ~~of~~ column for each of those ten components of that bullet! (Post Mortem, pages 449) ^{not just "lead and antimony"}

On the ^FFrazier worksheet quoted above, alongside his drawing of the curbstone section showing that the portion tested was ~~on~~ the bend, with a line to the right and to his writing begins, "Partly discer^dnable smoothing off -no gro^vve or ~~vis~~ visible" and then ~~what may~~ ^{it} is not legible but may refer to another form of mechanical ~~inj~~jury or marking appears.

That "smoothing off" is something ^{it}! Imagine a "firearms expert" examining a section of concrete curbstone that was known to have had a ballistics impact on it and that

ballistic impact merely smoothed the concrete out more than it was when manufactured!

There is no question at all of what happened and as I set forth throughout ~~that~~ Post Mortem Part IV, without a prep from the FBI then, since then, now more than a dozen years, or at any point for the ~~decade~~ many years that test-result lawsuits was in court, where I alleged it under ~~an~~ oath: that curbstone was patched!

This is ^{clearly} visible in the picture^s. I first published them in Post Mortem on pages 608 and 609. On the left-hand page are the Underwood and Dillard pictures as of the time of the assassination and on the right-hand page is a picture picture of that curbstone section as it is in the Archives, this picture taken for me there. There is also an enlargement of that "smoothed-off" section. It is not only much smoother to sight and to touch, it is distinctly darker in shade.

If this was more than merely visible to me, ^{it was obvious} is there any doubt that the FBI, meaning all the many involved in this charade in the FBI, including that ass-covering Gemberling in Dallas, had to ^{know} know even better than I?

— When I, a non-expert, was certain this was the case on reading Shaneyfelt's evasions and impossible testimony relating to any kind of bullet or bullet-fragment impact, were not all those FBI hotshots ever more aware of it, more positive in what ^{is} their education, training and experience I did not have ^{for them - all of them - to have known?} ~~has to have told them?~~

Ought not all those Warren Commission counsels, especially the former assistant district attorney of Philadelphia, Arlen Specter, whose area of the Commission's work this was, have had at the very least a suspicion?

Not one said a word and among those who parlayed their Commission careers into professional advancements, Specter advanced until he is and has been a Senator from Pennsylvania.

^{all} ~~All~~ combined in that awful crime of ^{silence} silence, when men ought cry out!

Unlike the Posners who cringe at the mere thought of admitting that anybody had done any prior work in the area of their writing, I encourage others to use mine and I cannot remember asking to be credited a single time. Thus when Henry Hurt, a Readers Digest roving editor, a fine writer, an authentic conservative and a southerly gentleman of

of the old school, wrote Reasonable Doubt (New York, Holt Reinhart and Winston, 1985) I gave him a free peer review of the manuscript as he wrote it. I urged him to carry my work on this evidence forward with what his publisher could afford and I could not, ^{expert} an examination of that piece of curbing resting in the Archives.

When I deposed John Kilty, another Lab agent in that FOIA lawsuit for the test results and the ^squestioning turned to whether any test had been performed to determine whether there was a patch, he gave us some ^ffree advice in his answer:

A

What you want to do is have a building -- material scientist look at that. Different kinds of concrete that are used. They can tell the difference between a patching material and a permanent material. It's not a very difficult thing but you wouldn't use activation analysis to show it is different.

— Remembering this I encouraged Henry and he took the FBI's professional advice, the advice of its famous laboratory. He did engage such a ~~firm~~ firm and under date of March 17, 1983 it reported to Henry's research assistant and fact-checker, ^(right) Sissi Maleki. His "purpose" of his March 10 examination was "to look for external signs which might indicate that the concrete curbstone had been patched."

Naturally, Specter et al, including Posner, saw no such need. After all, it was merely the ~~ass~~ assassination of an American President ^{FBI was} they were investigating and part of their responsibilities was to determine whether or not there had been a conspiracy. Oswald, long dead, had never had a free moment for patching that curbstone. Who had the motive to hide the evidence that "chip" and also described as a "scar" held? ^{was} ~~that is~~ The one and only thing accomplished by patching that innocent curbstone, to make it impossible to recover the metal deposits and analyze them scientifically. ^{Doing} ~~Could~~ that ~~have been done~~ to hide forever the traces of one of those bullets attributed to Oswald? Or ^{intent} ~~was~~ the only purpose possible ^{was} to hide forever the ~~tra~~ unique characteristics of a bullet other than the one attributed to Oswald?

Here are excerpts from the report of the ^{FBI-} recommended professional examination:

312

At the center of the concrete curb section, on the vertical face just below the curbed transition between the horizontal and vertical surfaces, there was a dark gray spot. The dark spot had fairly well-defined boundaries, so that it stood out visually from the surrounding concrete surface. The spot was roughly ellipsoidal in shape, approximately 1/2 in. by 3/4 in. in principal dimensions.

The surfaces of the curb which would normally have been exposed in service were visually examined with the aid of a 10X illuminated magnifier, with special attention given to the dark spot. It is significant to note that no other areas of any size were found anywhere on these surfaces with characteristics similar to those of the dark spot. These characteristics are described below.

The most obvious characteristic of the dark spot was the difference in color. The boundaries of the darker area were as well defined under the 10X magnifier as they were to the unaided eye. It is considered probable that the difference in color is due to the cement paste; however, the possibility of a surface-induced stain cannot be ruled out.

Because the examination was limited to that of ~~substones~~ examined that day, this is a proper professional ~~caution~~. But with there having been a visible damage, a "scar" ~~or~~ or a "nick," ^{or a "chip"} that only a patch ~~can~~ explain it is obvious.

- Another difference was noted in the color of the sand grains. The sand grains in the surrounding concrete surface were predominantly semi-translucent light gray in color, but there was also a significant amount of light brown sand grains. The dark spot contained only semi-translucent light gray sand grains. It is possible that the difference in sand color may be due to a different kind of concrete; i.e., a patch, existing in the dark spot area. However, given the ratio of light gray sand grains to light brown sand grains in the surrounding concrete surface, and the relatively small size of the dark spot area, it is also possible that the difference in color of sand grains may be explained in terms of the statistical variations in the distribution of sand grains throughout the concrete mass.

The upper edge of the dark spot appeared to show marks of some sand grains having been dislodged along the boundary between the dark spot and the surrounding concrete area. This is consistent with the relatively weaker zones that normally occur in the thin, or "feathered", edges of a surface patch. Again, however, the dislodgement of sand grains could be due to other causes.

In summary, the dark spot shows visual characteristics which are significantly different from those of the surrounding concrete surface. While any one of the differences, by itself, could be easily explained in terms other than a patch, the simultaneous occurrence of those differences would amount to a rather curious coincidence of characteristics. But the existence of a surface patch would also be consistent with and explain all of the observed differences.

Because there had been the very visible mechanical damage at precisely that point there ~~was~~ was no question remaining after the examination by a professional engineer ~~to~~ from ^a respected firm of engineers. Not having the evidence of the damage before him, to eliminate any possible doubt he recommended

that a more detailed visual examination, using techniques of microscopic petrography, be conducted to gain more conclusive information regarding the cement paste, the sand grains and the surface coloration.

"Cement paste" is not what curbstones are cast of.

What the FBI could ^{not} tell me to do to determine the obvious ~~too~~ professionally and scientifically it did not do for itself or the for the ~~country~~ country, ~~not~~ all naturally, its founding director already having had his vision from above and known before any investigation at all that Oswald was the assassin and the lone assassin, ^{This} as set from in some detail in NEVER AGAIN! that is being prepared for publication as I write this.

and with the unaided eye-not even a magnifying glass, it is that obvious-
- What with impaired vision/I could and did see/was not visible to those upwardly mobile Commission ~~leg-leg~~ legal eagles, Specter and ^dall the others.

This is the way ^{that} the crime was investigated.

This is what left a fortune to be whored, what so disquieted and disenchanted ~~as~~ so many, so many of whom ^{then} were not yet born.

This is what made it possible for the President be consigned to history with the dubious epitaph of a ~~dis~~ dishonest non-in^{ve}stigation that was official decided upon virtually the instant ^a Oswald died, as ^{is} documented in NEVER AGAIN!

The engineering report, too, was in the "Curbstone" file Posner either did not look at or looked ^{at} and ignored ~~less than~~ a full month after his two days with "ague."

And this is, too, ^{is} only one of the ^{is} many reasons Posner and his ilk should be consigned the history's refuse heaps.