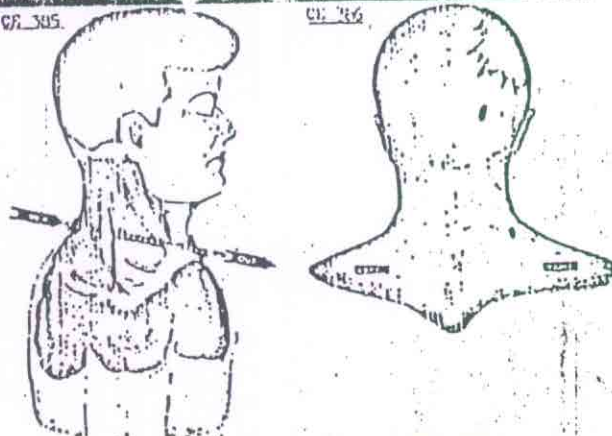


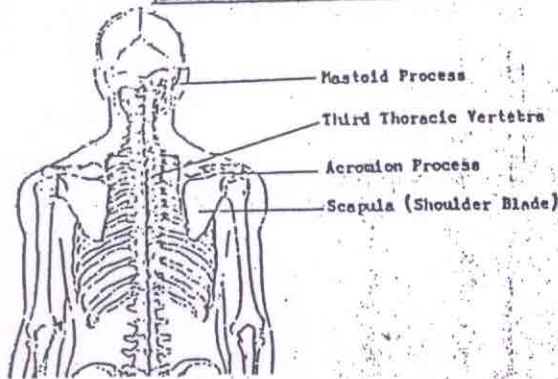
CE 305

CE 306

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ADULT MALE SKELETON, REAR VIEW



Knowing the Commission would not put the autopsy pictures in its record, the doctors had drawings made to depict the President's wounds. CE's 305 and 306 were prepared in March 1964 under Hansen's supervision. These illustrations deliberately misrepresent the back wound as a neck wound, a discrepancy of which the doctors and the Commissioners had to be aware. Burkley and Boswell had originally located the back wound at the level of the third thoracic vertebra, depicted on the skeletal chart here. The wound in the neck depicted in CE 305 is markedly higher than the third thoracic vertebra. The immediate significance of this information is that a bullet entering the back at the third thoracic vertebra and traveling at a downward angle could not emerge at the front of the throat, thus proving the autopsy report and the Warren Report wrong.



U. S. NAVAL MEDICAL SCHOOL
NATIONAL NAVAL MEDICAL CENTER
BETHESDA, MARYLAND 20014

In reply refer to

24 November 1963

C-E-R-T-I-F-I-C-A-T-E

I, James J. Humes, certify that I have destroyed by burning certain preliminary draft notes relating to Naval Medical School Autopsy Report A63-272 and have officially transmitted all other papers related to this report to higher authority.

J. J. Humes
J. J. HUMES
CDR, MC, USN

Accepted and approved this date
George L. Burkley
Rear Adm MC USN
Physician to the President

This is the original of Humes' certificate that he burned a draft of the autopsy report. It is not the same as the copy printed by the Commission, 17B49, which does not include the handwritten approval of Dr. Burkley. Indeed, what can be said when the President's physician certifies that he accepts and approves the burning of evidence in the crime? See p. 261.

This certificate has led to the myth, propagated by Arlen Specter, that Humes burned his autopsy notes. "The record is plain," Specter told U.S. News and World Report, 10/10/66, "that there had been a series of notes taken by Dr. Humes at the time of the actual performance of the autopsy which had been destroyed." Specter knew better, since he put this certificate (absent the Burkley endorsement) into evidence and had it confirmed by Humes (24373). As the certificate on the next page makes clear, the "autopsy notes" were preserved. What Humes burned he alternately described as "preliminary draft notes" (above) and "that draft" of the autopsy report later revised. (24373).

Having been assured by Humes that the first draft of the autopsy report had been destroyed forever by burning, Specter asked not a single question, not even the simple, indispensable question: "Why?" On this the Commission's record is barren. Specter, however, would like the public to believe otherwise. He now claims Humes "explained his reasons (for burning) fully before the Commission"—in his testimony.

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U. S. NAVAL MEDICAL SCHOOL
NATIONAL NAVAL MEDICAL CENTER
BETHESDA, MARYLAND 20014

In reply refer to

24 November 1963

C-E-R-T-I-F-I-C-A-T-E

I, James J. Humes, certify that all working papers associated with Naval Medical School Autopsy Report A63-272 have remained in my personal custody at all times. Autopsy notes and the holograph draft of the final report were handed to Commanding Officer, U. S. Naval Medical School, at 1700, 24 November 1963. No papers relating to this case remain in my possession.

J. J. Humes
J. J. HUMES
CDR, MC, USN

Received above working papers this date.

J. H. Stover, Jr.
J. H. STOVER, JR.
CAPT, MC, USN

Commanding Officer, U. S. Naval Medical School
National Naval Medical Center

Accepted and approved this date
George L. Burkley
Rear Adm MC USN
Physician to the President

This, an original copy, also bears the endorsement of Dr. Burkley absent from the copy published by the Commission. Here Humes makes explicit that he never burned any notes made during the autopsy. "Autopsy notes and the holograph draft of the final report" were preserved and given to Capt. Stover on November 24. Stover must have received all autopsy notes because Humes specifies that "all working papers" of the autopsy were in his possession until the transfer to Stover, after which "no papers relating to this case remain in my possession." With this transmittal, the mysterious story of the missing autopsy notes begins. See pp. 145, 261.

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The Single Bullet Theory

Cory Smith
Daniel Vassey
Brody Ledford
February 3, 1995
Dr. Ginnocchio
Anatomy of a Fraud

Gerald Posner, in his attempt to "close the case" of the Kennedy assassination, chooses certain parts of the evidence, including the Warren Report, that suits his conclusion. This remarkably resembles the Commission's own hasty method of lending more weight to the information that fits the lone assassin theory. Perhaps, the foremost example of this is Arlen Specter's advancement of the Single Bullet Theory. This theory is probably the most blatant lie to be passed off to the American people. Evidence was ignored and witnesses were not called in an attempt to preserve the idea of one bullet causing no less than seven wounds to both the President and Governor Connally. The travesty here is that Specter, as well as the other members of the commission, expected the American people not to question the integrity of the findings.

However, with Harold Weisberg leading the way, holes have been shot through the Single Bullet Theory. The documents he sued for as well as closer examination of reports have shown that the Single Bullet Theory can not work. This fact, however, does not prevent Posner from continuing to advance this fraud to his readers. He, in perfect harmony with the Warren Commission, includes only the evidence that supports his theory. No credit is given to the FBI's own summary report that states: "...one of the bullets had entered just below his shoulder to the right of the spinal column..." and "...there was no point of exit, and...the bullet was not in the body." The FBI, by the way, was the only investigative unit of the Warren Commission. The testimony of Agent Clint Hill who was called

in to witness the wounds of the President, was also ignored by Posner. When asked if he [Hill] saw any wounds other than the head wound, Hill responds, "Yes, sir; I saw an opening in the back, about 6 inches below the neckline to the right-hand side of the spinal column" (Hill, p. 143).

One question arises from this evidence: why was his testimony ignored? The answer lies in a bystander that November 22. James Tague was driving on Commerce Street when he saw that traffic had stopped for the President's motorcade. Mr. Tague got out of his car and stood at the Triple Underpass to watch. One of the shots, Mr. Tague contends the second, struck the curb twenty to thirty feet away from where he was standing causing either a piece of the curb or bullet fragment to hit him in the cheek. Why is this important? The FBI failed to interview Tague and, hence, was able to contend that all three shots hit the vehicle. The Warren Commission was not so lucky. Because Tague's injury made headlines, it would have been detrimental to the Warren Commission's findings to ignore him. In order to preserve the lone assassin theory, the Single Bullet Theory becomes a necessity.

Posner begins his deviations from the Warren Commission's account at this point. He lengthens the possible shooting time from 5.6 to 8.4 seconds. He contends the first shot was the one that missed, the second struck both Kennedy and Connally and the third was the fatal head wound. He makes the claim that the Zapruder film shows that Rosemary Willis, ten years old at the time, stops running at frame 160, claiming, now,

to have heard a shot. Rosemary never testified before the Warren Commission. Her sister, Linda Kay, did, however, and gave testimony indicating that the second shot missed. Posner seems to have ignored her (Willis, p. 498). Posner claims to have uncovered the Rosemary Willis evidence through new computer enhancements of the Zapruder film. This falsification is revealed, however, when he credits David Lui on page 553 with Rosemary Willis quotes.

Nonetheless, Posner presents an almost credible scenario. As evidence for his theory, Posner cites Virgie Rachley (Mrs. Donald Baker) in the Commission's volumes of testimony. It is true that Rachley remembers seeing a spark on the road behind the limousine, and this makes her an important witness in Posner's account. Rachley's credibility will be discussed momentarily. Posner claims that the first shot came around frames 158-160, just before the limousine passed under a tree obstructing Oswald's view. This bullet, perhaps even more "magical" than the bullet that allegedly struck Kennedy and Connally, Posner claims struck a limb of the tree, separating the lead core from the copper jacket. This is where Posner's account gets interesting. The copper jacket, after striking the limb, is supposed to have struck the road causing the spark Rachley observed. The lead core, after being torn from its encasing jacket, Posner contends would fly more stable and in a straight path.

To be fair, one must examine Posner's key witness in this scenario, Virgie Rachley. It is true that she provides

persuasive evidence for Posner's case. It is also true, however, that while viewing the motorcade from the front steps of the Texas School Book Depository, she testifies to hearing shots from the railroad tracks behind the grassy knoll (Rachley, p. 510). In fact, when asked if at the time, the shots sounded as if they came from the Book Depository, Rachley replied, "No, sir" (Rachley, p. 511). Posner, having read all twenty-six volumes of the Warren Commission's testimony and evidence, must simply lend more credibility to Rachley's sight rather than her hearing. Posner purports himself to be a Wall Street lawyer. Any lawyer would know that a witness who, in any way contradicts his case, is a dangerous witness. Posner, though, having no faith in the competency of his readers, still decides to include her. This could be the fatal blow to Posner's scenario. It is our strong feeling that if one uses a witness to help prove a portion of his case, then that same witness can not simply be ignored when his/her testimony does not suit that theory. This is exactly what Posner does, however.

This abundance of evidence along with what will follow, should raise serious questions about the Single Bullet Theory. In turn, Posner's own credibility and integrity as an author should be questioned as well.

Besides the timing of the three shots, there are other reasons which dispute both the Warren Commission's and Gerald Posner's Single Bullet Theory. One of these is the timing of the reactions of the President and of Governor Connally. By reactions we mean the separate responses the two men made to

their bullet wounds.

By looking at the Zapruder film it would appear both men had to have been hit by two separate bullets, the reason being the great amount of time that elapsed between the first reaction Kennedy makes to being hit and when Connally reacts to being hit. Even if aspects of the theory such as why the single bullet is in such good condition are considered truthful, the topic of what the bullet is doing during the approximate one and a half seconds that is present between the reactions of the two men should still be questioned. The condition of the bullet will be discussed later.

Gerald Posner, in many cases, tries to defend the Warren Commission on the Single Bullet Theory and he continues to do the same in this case. The Warren Commission claims that Governor Connally showed a delayed reaction to being hit. They have no other explanation for the approximate one and a half second time differential. This theory is somewhat unbelievable and it just shows the commission's ignorance. Posner must try to prove that the bullet went through President Kennedy and Governor Connally at the same time.

By using what he calls computer enhancements of the Zapruder film, Posner claims to see evidence that shows exactly when the bullet hit Connally and that it is basically at the same time it hit the President. Weisberg points out in Case Open that Posner makes it appear that the enhancements were done specifically for himself. Claiming the enhancements for himself is just another way Posner deceives his readers. The actual

validity of the enhancements can be challenged when looking at the Rosemary Willis incident. Posner claims to have found Rosemary stopping and turning around with the use of the enhancements, yet it was David Lui who first noticed it with the naked eye many years before the enhancements were done.

Gerald Posner starts his so called evidence by pointing out that Connally's lapel flipped up at the time the bullet went through his jacket. While citing his amazing computer enhancements, Posner fails to cite the fact that it was a windy day in Dallas thus easily giving solid evidence for the movement of the lapel. Posner decided not note the wind's speed or the fact that no bullet hole was found on the lapel of the Governor's jacket. The fact is the bullet did not come out of Connally's chest in the area of the lapel. However, the bullet did pass under his right nipple and the lapel was such a size that there was no way it could have hung down that far.

Posner also noted that through the computer enhancements one could see Governor Connally's hand flipping upward at the time Posner is saying the bullet hit. This theory is questionable since Connally was also struck in the wrist and would have dropped his hat. Accepting the fact that Connally may have been able to hold on to the hat, there is still another problem with Posner's enhancement theories. Why would the flipping of the wrist be an immediate reaction while other reactions such as the cheeks puffing out and the body leaning forward be delayed? These attempts to distort the truth are Posner's way to try and prove something he can not.

There are two other major controversies in the Single Bullet Theory along with the two previous areas of conflict. They are the location of the wounds and the condition of the bullet which supposedly caused those wounds. There are enough discrepancies in testimony and in evidence dealing with the wounds to dispute the theory, but if one adds the condition of the bullet into the Single Bullet equation, the results just do not add up.

The Warren Commission used diagrams of the wound on President Kennedy's back which were presented as Commission Exhibit 385 and Commission Exhibit 386. These diagrams were drawn from memory and not from official photographs. When compared to the autopsy face sheet (CE 397) and the official death certificate found in Harold Weisberg's Post Mortem (p. 308,309), it is quite obvious that the diagrams are wrong. The diagrams, CE 385 and 386, had the wound placed at the lower neck region above the right shoulder. CE 397 shows the wound farther down the back closer to the right scapula. On the death certificate signed by Admiral George Burkley, President Kennedy's personal physician, it stated that the wound "...occurred in the posterior back at about the level of the third thoracic vertebra" (Weisberg, p. 309). The obvious misrepresentation of the facts of the diagrams CE 385 and CE 386 were exactly what the Warren Commission needed to make the Single Bullet Theory possible. The placement of the higher wound made the idea of the bullet entering the back and exiting through the front of the throat more plausible, but the official placement

disputes the theory since the bullet was supposedly fired at a downward angle from the sixth floor window of the Texas School Book Depository.

The front throat wound has also caused some controversy. The Warren Commission claimed that holes in the shirt and tie were caused by the bullet passing through them. Harold Weisberg had the FBI take close up pictures of Kennedy's clothing in his book Post Mortem (p. 597), in order to show proof that the holes in the front of the shirt and tie were caused by a scalpel when nurses cut off the President's clothing. Miss Diana Bowron, the nurse in Parkland Hospital who personally took President Kennedy to trauma room one where the doctors worked on him, testified that she cut off Kennedy's clothes. She said, "...Miss Heathecliffe and I cut off his clothing..." (Bowron, p. 136). Miss Bowron's testimony and the close up pictures of the clothing proves that the holes were made by a scalpel, not a bullet.

Another controversy involving the throat wound and the back wound, was the size of the wounds. CE 397 shows the back wound as being 4x7mm and another part of CE 397 shows in notes taken by Dr. James Humes, the chief autopsy doctor, that the wound in the front of the neck was 3x5mm. Many doctors including Dr. Cyril Wecht, state that many times the smaller hole is the entrance wound and the larger hole is the exit wound. Dr. Robert Shaw in his testimony to the Warren Commission about the back wound of Governor Connally said it was a wound of entrance because of "Its small size, and the rather clean cut edges of the wound compared to the usual more ragged wound of exit" (Shaw,

p. 104). This testimony gives validity to Dr. Wecht's statement. There is strong evidence to show that Kennedy's wound could have been a wound of entrance by Dr. Charles Carrico's testimony. At first he said he was not sure whether the 3x5mm wound was one of entrance or exit. It was only after long, hypothetical questioning that he agreed with the commission that it was an exit wound. However, he did describe it as "...fairly round, no jagged edges, no evidence of powder burns, and so forth.", and "...an even round wound" (Carrico, p. 362). The similarity between Dr. Carrico's testimony about Kennedy's throat wound and Dr. Shaw's testimony of Governor Connally's definite wound of entrance in his back, gives enough evidence to allow one not to totally disprove the idea of Kennedy's throat wound being one of entrance and not of exit. There is not enough evidence to decide whether President Kennedy's throat wound is one of entrance or exit, and that fact alone is enough to discredit the Single Bullet Theory.

The bullet labeled CE 399 by the Warren Commission is also a source of controversy. This bullet was found on a stretcher at Parkland Hospital and was said to be the bullet which passed through both the President and Governor Connally. Although CE 399 was only slightly damaged, it is supposed to have caused a total of seven wounds. Ignoring the evidence of the wound being in the back, The Warren Commission claimed the bullet passed through the bottom of Kennedy's neck and then passed out the front. From there the bullet entered into the back of Governor Connally, passed through his right lung and exited

under the right nipple. During the passage through Connally's chest, the bullet managed to break his fifth rib. After leaving the chest it entered his right wrist shattering the radius bone, before ending up in his left thigh. It is utterly amazing how one bullet could break two major bones and end up only slightly damaged. The condition of CE 399 is disputed with CE 856. This exhibit was a test bullet fired at a cadaver's wrist in order to simulate what happened to Connally's wrist. CE 856 came out of testing with a severely damaged nose. This bullet helps verify that CE 399 very easily could not have been the bullet which caused Connally's wounds. If striking just the wrist caused a severely damaged nose then how could a bullet which causes seven wounds and breaks two major bones come out only slightly damaged?

The condition of CE 399 is a point of the Single Bullet Theory in which Gerald Posner defends strongly in his book Case Closed. Posner uses the ideas of Dr. John Lattimer, a urologist, to support his thoughts on the condition of the single bullet. Dr. Lattimer thinks that the tests done by Warren Commission with CE 856 were done incorrectly. He says,

What that actually shows is that the Warren Commission did not conduct the proper experiments. They fired a 6.5mm shell traveling at over 2,000 feet per second directly into a wrist bone. Of course you are going to get deformation of a bullet when it strikes a hard object at full speed. If Governor Connally's wrist had been hit on the straight fly by that bullet, CE 399, the bullet would be in worse shape, and so would his wrist. What the Warren Commission did not understand was that the bullet slowed as it passed through the bodies, and it never hit a hard surface, like bone, with its nose" (Posner, p. 336).

When first looked at, this statement seems entirely credible,

but if one reads the preceding page carefully it is obvious Lattimer can not be considered a credible source of information. On the preceding page Posner writes in his foot notes, "Dr. John Lattimer and Dr. John Nichols created experiments to test the bullet's toughness. Nichols shot a 6.5mm slug through four feet of ponderosa pine boards and Lattimer put one through two feet of elm wood. Both bullets appeared undamaged" (Posner, p. 335n). It is quite obvious that Lattimer contradicts himself. Are not ponderosa pine and elm wood hard objects? One of these statements must be wrong. Dr. Lattimer's and Posner's theory on the path of the bullet is the same as the Warren Commission's except that Lattimer says the bullet tumbled. He thinks the bullet began tumbling after it left Kennedy's throat and went through Connally sideways. He then says that it went through Connally's wrist backwards, leaving enough force to enter into his thigh (Posner, p. 336). This tumbling bullet theory can be disputed by Dr. Carrico's testimony to the Warren Commission. He said, "I think a missile this size traveling in such a direction that it had very little deformity, struck nothing causing it to tumble..."(Carrico, p. 5). If the bullet hit nothing hard leaving the President's neck like the Warren Commission said, why would the bullet start to tumble? This theory which Posner and Lattimer support is obviously flawed. This is just one of many areas where Posner tries to deceive the public.

In his Appendix titled "The Single Bullet Theory," Posner shows some major misrepresentations of the facts. First he

has Kennedy sitting higher than Connally when in fact this is not true. The Zapruder film clearly shows very little, if not any, difference in the sitting height of the two men. Next is his placement of the President's back wound which he has in the same location as the Warren Commission. That placement has been discredited above. Another falsification is Connally's back wound. Posner says it is one and a quarter inches long when Dr. Shaw testified it was "...a centimeter and a half in its greatest diameter" (Shaw, p. 104). The last area of misrepresentation is the position of Connally. Posner has him turned right when in the Zapruder film it can be seen that Connally is directly in front of Kennedy.

The infamous Single Bullet Theory can be considered one of the biggest lies in the history of the United States. It is a blatant effort aimed at deceiving the American public. Arlen Specter, while ignoring the facts, concocted the Single Bullet Theory to prove the idea of a lone assassin. He knew his creation was physically impossible yet he tried to sell it to the people. Gerald Posner may consider himself a credible author on the assassination of President Kennedy, but by supporting Specter's theory, Posner takes responsibility of spreading this blatant lie. Not only does he support the Single Bullet Theory, Posner also goes out of his way to deceive the public. He tries to lengthen Oswald's shooting time. He tries to use questionable computer enhancements to prove Governor Connally and President Kennedy were hit at the same time. Worst of all, Posner uses unqualified people to give theories intended

to prove the existence of a single bullet. The lies and deceit have to stop. The American people deserve better and most of all, President John F. Kennedy deserves better.

A P P E N D I X

Found in this appendix is most of the testimony and evidence cited in this paper. The appendix will show the obvious placement of Governor Connally's lapel and prove that a bullet could not have caused it to flip up. The appendix will also allow for comparison between the inaccurate diagrams, CE 385 and CE 386, and the autopsy face sheet, CE 397. This comparison should disprove the Single Bullet Theory by showing the actual position of President Kennedy's back wound. The proof shown in CE 397 will be backed up by the official death certificate which is also included in the appendix. Finally this appendix will show the comparison of the two bullets CE 399 and CE 856.

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room and asked that two of our agents, Special Agent Sullman and Assistant Special Agent in Charge Stout clear all the corridors, and I checked the closest and most immediate route to the ambulance. We took the body from the hospital and departed the Parkland Hospital about 2:04 p.m. The ambulance was driven by Special Agent Berger. Special Agent in Charge Kellerman and Assistant Special Agent in Charge Stout were riding in the front seat; Mrs. Kennedy, Dr. Burkley, the President's body, and myself rode in the rear portion of the ambulance.

Mr. SPECTER. Approximately how long did it take you to reach the airplane at Love Field?

Mr. HILL. We arrived at Love Field at 2:14.

Mr. SPECTER. And were you present during the swearing-in ceremonies of President Johnson?

Mr. HILL. I was aboard the aircraft; yes, sir.

Mr. SPECTER. Did you witness those ceremonies?

Mr. HILL. Well, the Presidential compartment was so small that not all persons on the aircraft could get in. I was in the forward portion of the aircraft, right adjacent to the area that the President was sworn in.

Mr. SPECTER. Do you know the time of the swearing in?

Mr. HILL. 2:38.

Mr. SPECTER. And what time did the Presidential aircraft depart?

Mr. HILL. 2:47.

Mr. SPECTER. Do you know what time it arrived in the Washington area?

Mr. HILL. 5:50, I believe, sir.

Mr. SPECTER. And where did it land?

Mr. HILL. We landed at Andrews Air Force Base.

Mr. SPECTER. And what action, if any, in connection with this matter did you take following landing?

Mr. HILL. I assisted Mrs. Kennedy and the Attorney General, who had joined her at that time, into the ambulance bearing the President's body, and I entered the automobile immediately behind the ambulance with Dr. John Walsh, Mrs. Kennedy's physician, and members of President Kennedy's staff.

Mr. SPECTER. And where did you go then?

Mr. HILL. Immediately to Bethesda Naval Hospital.

Mr. SPECTER. And did you stay with the President's family at that time?

Mr. HILL. When we arrived there, I went to the 17th floor with Mrs. Kennedy, and I remained with Mrs. Kennedy except for one time when I was requested to come to the morgue to view the President's body.

Mr. SPECTER. And did you view the President's body?

Mr. HILL. Yes, sir.

Mr. SPECTER. What action did you take following the time you viewed the President's body in the morgue?

Mr. HILL. After the viewing of the President's body?

Mr. SPECTER. Yes.

Mr. HILL. I returned to the 17th floor and remained with Mrs. Kennedy until we departed the hospital.

Representative Boogs. May I ask a question? At the hospital in Texas, you had seen—had you seen the whole body, or just the back of the President's head?

Mr. HILL. I had seen the whole body, but he was still cold when I saw him.

Representative Boogs. At the morgue in Bethesda he was not cold?

Mr. HILL. Yes, sir; the autopsy had been completed, and the Lawler Mortuary Co. was preparing the body for placement in a casket.

Representative Boogs. At this time did you see the whole body?

Mr. HILL. Yes, sir.

Representative Boogs. Did you see any other wound other than the head wound?

Mr. HILL. Yes, sir; I saw an opening in the back, about 6 inches below the neckline to the right-hand side of the spinal column.

Representative Boogs. Was there a frontal neck injury?

Mr. HILL. There was an area here that had been opened but—

Mr. SPECTER. You are indicating—

TESTIMONY OF LINDA KAY WILLIS

The testimony of Linda Kay Willis was taken at 3:15 p.m., on July 22, 1964, in the office of the U.S. attorney, 801 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Mr. LIEBELER. Would you rise and raise your right hand and I will swear you as a witness. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God Miss WILLIS. I do.

Mr. LIEBELER. As I told your father, I am an attorney for the President's Commission on the Assassination of President Kennedy, and he has told me that you were with him in the vicinity of the School Book Depository Building at the time of the assassination, and I wanted to ask you two or three questions about that. First of all, would you state your name for the reporter, please?

Miss WILLIS. Linda Kay Willis.

Mr. LIEBELER. How old are you?

Miss WILLIS. I will be 15, July 29.

Mr. LIEBELER. Your father has told us that you were out in front of the School Book Depository Building along with your sister on the day of the assassination and your mother and father were also there, is that correct?

Miss WILLIS. Yes, sir.

Mr. LIEBELER. Did you hear any shots, or what you later learned to be shot as the motorcade came past you there?

Miss WILLIS. Yes; I heard one. Then there was a little bit of time, and then there were two real fast bullets together. When the first one hit, well, the President turned from waving to the people, and he grabbed his throat, and I kind of slumped forward, and then I couldn't tell where the second shot went.

Mr. LIEBELER. Now, you were standing right along the curb on Elm Street, that right, when the motorcade came by across the street from the School Book Depository Building?

Miss WILLIS. Yes, sir.

Mr. LIEBELER. Did you follow the motorcade down Elm Street at all, or did you stand on the corner up toward Houston Street and watch from there?

Miss WILLIS. I was right across from the sign that points to where Stemmons Expressway is. I was directly across when the first shot hit him.

Mr. LIEBELER. Directly across from the sign that says, "Stemmons Freeway

Miss WILLIS. I was right in line with the sign and the car, and I wasn't very far away from him, but I couldn't tell from where the shot came.

Mr. LIEBELER. Did you just stay right there, or did you go on down Elm Street?

Miss WILLIS. I stayed there. I was on the corner across from the courthouse when the motorcade first came down Main Street, and when it turned the corner on Houston, well, I followed along the street with the car, and then I turned the corner on Elm and I stood there where the Stemmons sign is.

Mr. LIEBELER. Did you see the President get hit in the head?

Miss WILLIS. Yes.

Mr. LIEBELER. You actually saw the President get hit that way?

Miss WILLIS. Yes.

Mr. LIEBELER. How far away would you say that you were when you saw that?

Miss WILLIS. Oh, about twice as far as I am from here to this door. That's not quite that far.

Mr. LIEBELER. About 25 feet or so?

Miss WILLIS. About that.

Mr. LIEBELER. Now when you saw the President get hit in the head, did you hear any more shots after that?

Miss WILLIS. Yes; the first one, I heard the first shot come and then I slumped forward, and then I couldn't tell where the second shot went, then the third one, and that was the last one that hit him in the head.

Mr. LIEBELER. You only heard three shots altogether?

hit; do you remember? It would have been on the curb side—near the curb side away from the Texas School Book Depository Building on the opposite side of the street; is that right?

Mrs. BAKER. Yes.

Mr. LIEBELER. How close to the opposite curb do you think it was?

Mrs. BAKER. It was approximately in the middle of the lane—I couldn't be quite sure, but I thought it was in the middle or somewhere along in there. It could even be wrong about that but I could have sworn it that day.

Mr. LIEBELER. You thought it was sort of toward the middle of the lane?

Mrs. BAKER. Toward the middle of the lane.

Mr. LIEBELER. Of the left-hand lane going toward the underpass; is that correct?

Mrs. BAKER. Yes.

Mr. LIEBELER. Where was the thing that you saw hit the street in relation to the President's car? I mean, was it in front of the car, behind his car, by the side of his car or was it close to the car?

Mrs. BAKER. I thought it was—well—behind it.

Mr. LIEBELER. Had the car already gone by when you saw this thing hit in the street?

Mrs. BAKER. Yes.

Mr. LIEBELER. Do you remember whether it hit toward the left-hand side or the right-hand side of the President's car, or was it just immediately behind it? If you can't remember it that closely, all right.

Mrs. BAKER. I can't remember it.

Mr. LIEBELER. Did you actually see the President get hit by any bullets?

Mrs. BAKER. No, sir.

Mr. LIEBELER. How many shots did you hear?

Mrs. BAKER. Three.

Mr. LIEBELER. When did you first become aware that they were shots?

Mrs. BAKER. With the second shot.

Mr. LIEBELER. Did you have any idea where they were coming from?

Mrs. BAKER. Well, the way it sounded—it sounded like it was coming from there was a railroad track that runs behind the building—there directly behind the building and around, so I guess it would be by the underpass, the triple underpass, and there is a railroad track that runs back out there and there was a train that looked like a circus train as well as I can remember now, back there, and we all ran to the plaza—the little thing there I guess you call it a plaza—back behind there—this other girl and I almost ran back over there and looked and we didn't see anything.

Mr. LIEBELER. When you say the plaza, you mean Dealey Plaza, the area that lies between Elm Street and this little street that runs by the Texas School Book Depository Building; is that correct? Is that what you mean?

Mrs. BAKER. Yes, sir.

Mr. LIEBELER. After you heard the shots, you ran down the little street that runs in front of the School Book Depository?

Mrs. BAKER. Along the grass.

Mr. LIEBELER. Along the grass—alongside there, running toward the triple underpass where Elm Street goes, but you were actually running down the little street or alongside the street on the grass, alongside the street that runs right in front of the Texas School Book Depository?

Mrs. BAKER. Yes.

Mr. LIEBELER. And you say there are some railroad tracks back in there; is that right?

Mrs. BAKER. Yes.

Mr. LIEBELER. Immediately behind Dealey Plaza away from Elm Street?

Mrs. BAKER. Yes.

Mr. LIEBELER. And is that where you thought the shots came from?

Mrs. BAKER. Yes.

Mr. LIEBELER. And when you went down there and looked, did you see any body at all?

Mrs. BAKER. Just a policeman and several people were down there around the tracks working.

Mr. LIEBELER. But you didn't see anybody you thought might have been the assassin?

Mrs. BAKER. No, sir.

Mr. LIEBELER. Now, you have subsequently heard, I'm sure, and from reading in the newspapers and one thing and another, that it appears that the shots actually came from the Texas School Book Depository Building; is that right?

Mrs. BAKER. Yes.

Mr. LIEBELER. Does that seem possible to you in view of what you heard at the time?

Mrs. BAKER. Well, I guess it might have been the wind, but to me it didn't.

Mr. LIEBELER. The sounds you heard at the time did not appear to come from the Texas School Book Depository Building?

Mrs. BAKER. No, sir.

Mr. LIEBELER. Did you look up at the Texas School Book Depository Building at all while you were standing there?

Mrs. BAKER. No, sir.

Mr. LIEBELER. So, you had no occasion to see anybody in any of the windows in that building?

Mrs. BAKER. No, sir.

Mr. LIEBELER. According to the FBI report of the interview that you gave them on November 24, you said that just after the shooting some man who had been sitting on a wall directly across the street from you came up and said he saw everything; is that so?

Mrs. BAKER. Yes.

Mr. LIEBELER. Did you ever find out what that man's name was?

Mrs. BAKER. No, sir; I did not. I didn't see him after that.

Mr. LIEBELER. Did he tell you what he had seen?

Mrs. BAKER. No; I don't remember—he came over—I don't know when he came over now, but he told us he had seen everything—it might have been later that afternoon. I think it was—I think it was later that afternoon.

Mr. LIEBELER. Did he tell you where he had been, where he could see all this?

Mrs. BAKER. He said he was sitting on that wall.

Mr. LIEBELER. Now, when you say "that wall" I show you again Commission Exhibit No. 354.

Mrs. BAKER. This wall here [indicating].

Mr. LIEBELER. Are you referring to a wall that is on the triangular spot formed by Elm Street and Main Street and across Elm Street from the Texas School Book Depository Building? And on Commission Exhibit No. 354; that area has some ink marks on it around part of it?

Mrs. BAKER. Yes.

Mr. LIEBELER. Did this man tell you exactly where on the wall he had been sitting?

Mrs. BAKER. No; I presume it was on this high wall here—it sticks up real high—I presume he was up there on top.

Mr. LIEBELER. You have indicated the part of the wall that faces toward the triple underpass down toward where Elm Street and Main Street and Commerce all come together?

Mrs. BAKER. Yes.

Mr. LIEBELER. Now, there has been some speculation that perhaps the shots might have come from right off the triple overpass, from the railroad tracks that go up over the top, were you able to see these railroad tracks at the time from where you were standing down here—when I say, "Down here," I mean the railroad tracks that actually go over Elm Street and Main Street and Commerce.

Mrs. BAKER. No, sir.

Mr. LIEBELER. You could not see that?

Mrs. BAKER. No, sir.

Mr. LIEBELER. Did the shots sound like they had come from that area, or did they sound like they had come from the area more around toward the Texas School Book Depository Building and behind Dealey Plaza?

Mrs. BAKER. It sounded like it was coming from along in here—it didn't sound

Mr. SPECTER. Do you know at approximately what time this procedure was started?

Dr. SHAW. I will have to refresh my memory again from the record. We had at the time I testified before, we had the—

Mr. SPECTER. Permit me to make available to you a copy of the Parkland Memorial Hospital operative record and let me ask you, first of all, if you can identify these two pages on an exhibit heretofore marked as Commission Exhibit 302 as to whether or not this constitutes your report?

Dr. SHAW. Yes; this is a transcription of my dictated report of the operation. Mr. SPECTER. Are the facts set forth therein true and correct?

Dr. SHAW. Yes. On this it states that the operation itself was begun at 1300 hours or 1 o'clock, 1 p.m., and that the actual surgery started at 1335 or 1:35 p.m.

The operation was concluded by me at 3—1520 which would be 3:20 p.m.

Mr. SPECTER. You have described, in a general way, the chest wound. What other wounds, if any, was Governor Connally suffering from at the time you saw him?

Dr. SHAW. I will describe then the wound of the wrist which was obvious. He had a wound of the lower right forearm that I did not accurately examine because I had already talked to Dr. Gregory while I was scrubbing for the operation, told him that this wound would need his attention as soon as we were able to get the chest in a satisfactory condition. There was also, I was told, I didn't see the wound, on the thigh, I was told that there was a small wound on the thigh which I saw later.

Mr. SPECTER. When did you first have an opportunity then to examine Governor Connally's wound on the posterior aspect of his chest?

Dr. SHAW. After the Governor had been anesthetized. As soon as he was asleep so we could manipulate him—before that time it was necessary for an endotracheal tube to be in place so his respirations could be controlled before we felt we could roll him over and accurately examine the wound entrance.

We knew this was the wound exit.

Mr. SPECTER. This [indicating an area below the right nipple on the body]?

Dr. SHAW. Yes.

Mr. DULLES. How did you know it was a wound exit.

Dr. SHAW. By the fact of its size, the ragged edges of the wound. This wound was covered by a dressing which could not be removed until the Governor was anesthetized.

Mr. SPECTER. Indicating this wound, the wound on the Governor's chest?

Dr. SHAW. Yes; the front part.

Mr. SPECTER. Will you describe in as much detail as you can the wound on the posterior side of the Governor's chest?

Dr. SHAW. This was a small wound approximately a centimeter and a half in its greatest diameter. It was roughly elliptical. It was just medial to the axillary fold or the crease of the armpit, but we could tell that this wound, the depth of the wound, had not penetrated the shoulder blade.

Mr. SPECTER. What were the characteristics, if any, which indicated to you that it was a wound of entrance then?

Dr. SHAW. Its small size, and the rather clean cut edges of the wound as compared to the usual more ragged wound of exit.

Mr. SPECTER. Now, I hand you a diagram which is a body diagram on Commission Exhibit No. 670, and ask you if, on the back portion of the figure, that accurately depicts the point of entry into Governor Connally's back?

Dr. SHAW. Yes. The depiction of the point of entry, I feel is quite accurate.

Mr. SPECTER. Now, with respect to the front side of the body, is the point of exit accurately shown on the diagram?

Dr. SHAW. The point is—

Mr. SPECTER. We have heretofore, may the record show the deposition covered much the same ground with Dr. Shaw, but the diagrams used now are new diagrams which will have to be remarked in accordance with your recollection.

Dr. SHAW. Yes. Because I would have to place—they are showing here the angle.

Mr. DULLES. I see.

Dr. CARRICO. The entrance. All we knew this was a small wound here.

Mr. DULLES. I see. And you put your hand right above where your tie is?

Dr. CARRICO. Yes, sir; just where the tie—

Mr. DULLES. A little bit to the left.

Dr. CARRICO. To the right.

Mr. DULLES. Yes; to the right.

Dr. CARRICO. Yes. And this wound was fairly round, had no jagged edges, no evidence of powder burns, and so forth.

Representative FORD. No evidence of powder burns?

Dr. CARRICO. So far as I know.

Representative FORD. In the front?

Dr. CARRICO. Yes.

Mr. SPECTER. Have you now described that wound as specifically as you can based upon your observations at the time?

Dr. CARRICO. I believe so.

Mr. SPECTER. And your recollection at the time of those observations?

Dr. CARRICO. Yes; an even round wound.

Mr. DULLES. You felt this wound in the neck was not a fatal wound?

Dr. CARRICO. That is right.

Mr. SPECTER. That is, absent the head wound, would the President have survived the wound which was present on his neck?

Dr. CARRICO. I think very likely he would have.

Mr. SPECTER. Based on your observations on the neck wound alone did you have a sufficient basis to form an opinion as to whether it was an entrance or an exit wound?

Dr. CARRICO. No, sir; we did not. Not having completely evaluated all the wounds, traced out the course of the bullets, this wound would have been compatible with either entrance or exit wound depending upon the size, the velocity, the tissue structure and so forth.

Mr. SPECTER. Permit me to add some facts which I shall ask you to assume as being true for purposes of having you express an opinion.

First of all, assume that the President was struck by a 6.5 mm. copper-jacketed bullet from a rifle having a muzzle velocity of approximately 2,000 feet per second at a time when the President was approximately 160 to 250 feet from the weapon, with the President being struck from the rear at a downward angle of approximately 45 degrees, being struck on the upper right posterior thorax just above the upper border of the scapula 14 centimeters from the tip of the right acromion process and 14 centimeters below the tip of the right mastoid process.

Assume further that the missile passed through the body of the President striking no bones, traversing the neck and sliding between the large muscles in the posterior aspect of the President's body through a fascia channel without violating the pleural cavity, but bruising only the apex of the right pleural cavity and bruising the most apical portion of the right lung, then causing a hematoma to the right of the larynx which you have described, and creating a jagged wound in the trachea, then exiting precisely at the point where you observe the puncture wound to exist.

Now based on those facts was the appearance of the wound in your opinion consistent with being an exit wound?

Dr. CARRICO. It certainly was. It could have been under the circumstances.

Mr. SPECTER. And assuming that all the facts which I have given you to be true, do you have an opinion with a reasonable degree of medical certainty as to whether, in fact, the wound was an entrance wound or an exit wound?

Dr. CARRICO. With those facts and the fact as I understand it no other bullet was found this would be, this was, I believe, was an exit wound.

Mr. SPECTER. Were any bullets found in the President's body by the doctors at Parkland?

Dr. CARRICO. No, sir.

Mr. SPECTER. Was the President's clothing ever examined by you, Dr. Carrico?

Dr. CARRICO. No, sir; it was not.

Mr. SPECTER. What was the reason for no examination of the clothing?

Mr. SPECTER. Do you have an opinion, Dr. Carrico, as to the cause of the punctate wound in the President's throat?

Dr. CARRICO. No; I really don't—just on the basis of what I know. We didn't make an attempt, as you know, to ascertain the track of the bullets.

Mr. SPECTER. I can't hear you.

Dr. CARRICO. As you know, we didn't try to ascertain the track of the bullets.

Mr. SPECTER. And why did you not make an effort to determine the track of the bullets?

Dr. CARRICO. Again, in trying to resuscitate the President, the time to do this was not available. The examination conducted was one to try to establish what life threatening situations were present and to correct these.

Mr. SPECTER. Was there any discussion among the doctors who attended President Kennedy as to the cause of the neck wound?

Dr. CARRICO. Yes; after that afternoon.

Mr. SPECTER. And what conversations were there?

Dr. CARRICO. As I recall, Dr. Perry, and I talked and tried after—later in the afternoon to determine what exactly had happened, and we were not aware of the missile wound to the back, and postulated that this was either a tangential wound from a fragment, possibly another entrance wound. It could have been an exit wound, but we knew of no other entrance wound.

Mr. SPECTER. Was the wound in the neck consistent with being either an entry or exit wound, in your opinion?

Dr. CARRICO. Yes.

Mr. SPECTER. Or, did it look to be more one than the other?

Dr. CARRICO. No; it could have been either, depending on the size of the missile, the velocity of the missile, the tissues that it struck.

Mr. SPECTER. Dr. Carrico, assume these facts, if you will—first, that President Kennedy was struck by a 6.5-mm. missile which entered the upper-right posterior thorax, just above the scapula, being 14 cm. from the tip of the right acromion. a-c-r-o-m-i-o-n (spelling) process, and 14 cm. below the tip of the right mastoid process, and that the missile traveled between two strap muscles, proceeded through the fascia channel without violating the pleural cavity, striking the side of the trachea and exiting in the lower third of the anterior throat. Under the circumstances which I have just described to you, would the wound which you observed on the President's throat be consistent with the damage which a 6.5-mm. missile, traveling at the rate of approximately 2,000 feet per second, that being muzzle velocity, with the President being 100 to 250 feet away from the rifle, would that wound be consistent with that type of a weapon at that distance, with the missile taking the path I have just described to you?

Dr. CARRICO. I certainly think it could.

Mr. SPECTER. And what would your thinking be as to why it could produce that result?

Dr. CARRICO. I think a missile of this size, traveling in such a direction that it had very little deformity, struck nothing which would cause it to begin tumbling, and was slowed very little by passing through this relatively easy traversed planes, would not expend a great deal of energy on exit and would very likely not tumble, thus producing a small, round, even wound.

Mr. SPECTER. What has been your experience, if any, with gunshot wounds?

Dr. CARRICO. In working in the emergency room at Parkland, we have seen a fairly good number of gunshot wounds, and with .22 and .25 caliber weapons of somewhat, possibly somewhat lower velocity but at closer range, we have seen entrance and exit wounds of almost the same size, especially the same size, when passing through superficial structures.

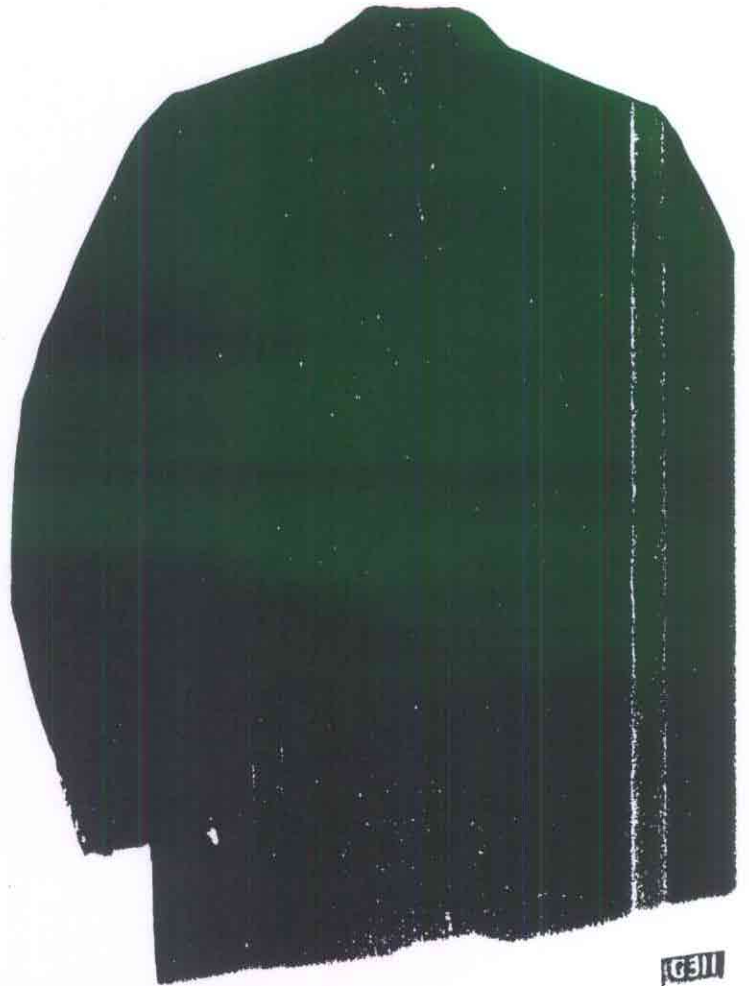
Mr. SPECTER. And what superficial structures did those missiles pass through to which you have just referred?

Dr. CARRICO. The ones I was referring to in particular were through the muscles of the leg superficially.

Mr. SPECTER. Approximately how many missile wounds, bullet wounds, have you had an opportunity to observe in your practice, Doctor?

Dr. CARRICO. I would guess 150 or 200.

Mr. SPECTER. Would you describe as precisely for me as possible the nature of the head wound which you observed on the President?



125

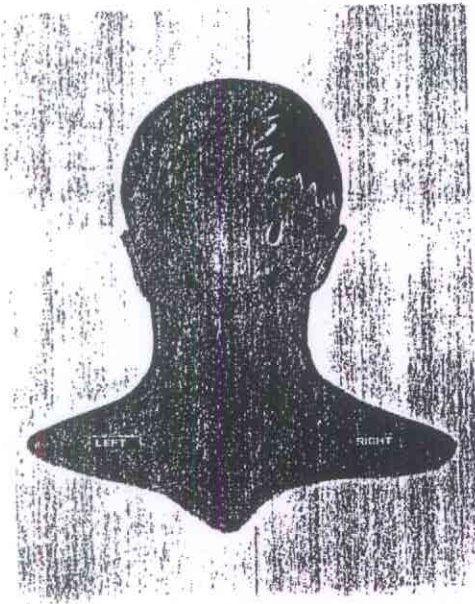
Commission Exhibit No. 693

COMMISSION EXHIBIT 684

126



COMMISSION EXHIBIT 385



COMMISSION EXHIBIT 386

077

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ANATOMY DESCRIPTIVE SHEET

WMS PATH-8 (1-53)

AUTOPSY

WMS # 1-35-23 DATE 1-22-42 HR. STARTED _____ HR. COMPLETED _____

NAME: _____ RANK/RATE _____

DATE/HOUR EXPIRED: _____ WARD _____ DIAGNOSIS _____

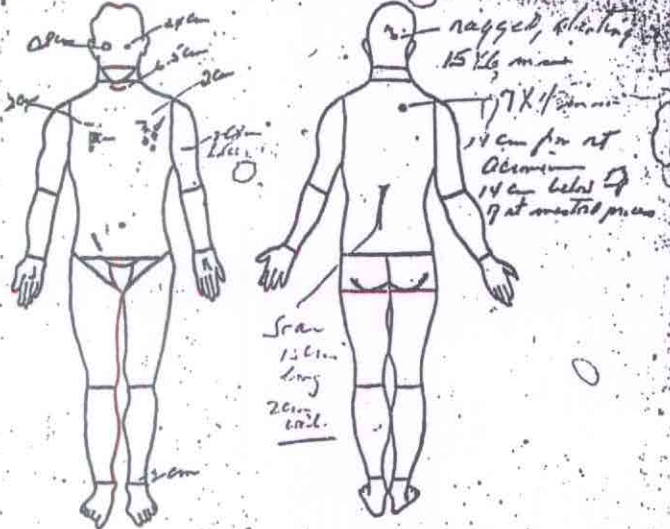
PHYSICAL DESCRIPTION: RACE: _____ Obtain following on babies only:

Height _____ in. Weight _____ lb. Hair _____ Color _____
Crown-rump _____ in. Crown-head _____ in.
Color eyes _____ Pupil _____ mm, Lb. _____ mm Circumference
Lead _____ in. Chest _____ in.
Abd. _____ in.

WEIGHTS: (Grams, unless otherwise specified)
LUNG, RT. 330 KIDNEY, RT. 1375 ADRENALS, RT. _____
LUNG, LT. 290 KIDNEY, LT. 140 ADRENALS, LT. _____
BRAIN _____ LIVER 150 PANCREAS _____
SPLEEN 90 HEART 350 THYROID _____
TESTES _____ OVARY _____

HEART MEASUREMENTS: A 7.5 cm. P 9 cm. V 12 cm. X 18 cm.
LVM 1.5 cm. NYM _____ cm.

NOTES:



Pathologist _____

COPY

CERTIFICATE OF DEATH
FORM 5 (Rev. 9-28-58)

The White House, Washington, D.C.

President John Fitzgerald Kennedy

President of the United States

2 years

Brookline, Massachusetts

May 29, 1917

Blue

4" scar 2nd, 3rd and 4th lumbar spines

4" scar upper left leg, well healed

Mrs. John Fitzgerald Kennedy, The White House, Washington, D.C.

The White House, Washington, D.C.

Parkland Memorial Hospital, Dallas, Texas

Gunshot wound, skull

SEARCHED INDEXED SERIALIZED FILED

NOV 23 1963

FBI - WASHINGTON

President John Fitzgerald Kennedy

President John Fitzgerald Kennedy, was riding in the motorcade in Dallas, Texas on November 22, 1963, and at approximately 12:30 p.m., was struck in the back by an assassin's bullet and a second wound occurred in the posterior back at the level of the third thoracic vertebra. The wound was situated at the level of the fragmentations of the skull and evulsion of three particles of the bullet. The President was rushed to Parkland Memorial Hospital, and was immediately taken to the operating room at the hospital. The President was taken to the operating room at the hospital and immediately went to the emergency room. It was evident that the wound was of such severity that it was bound to be fatal. Following the time of arrival at the hospital by several members of the Secret Service, emergency measures were employed immediately including intravenous fluids and blood. The President was pronounced dead at 1:00 p.m. by Dr. Clark and was verified by me.

White House, Washington, D. C.

November 23, 1963

George Gregory Burt

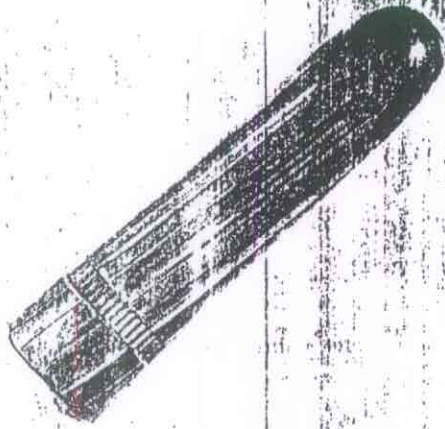
Signature

Signature

COPY

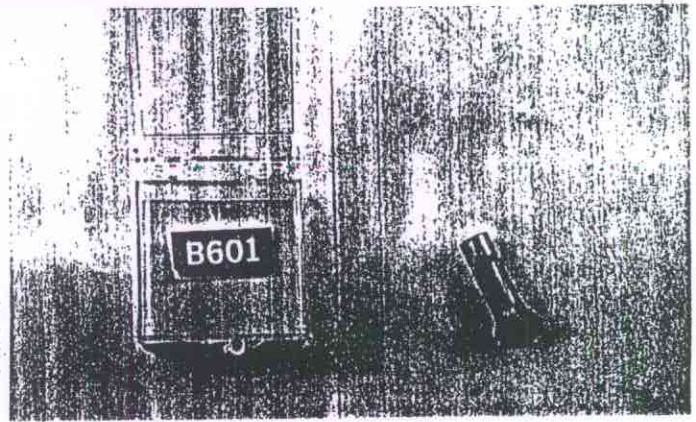
The reverse side of the Certificate of Death wherein Admiral Burtley, present autopsy, reports with assurance and precision that the President had received a wound in the posterior back at about the level of the third thoracic vertebra. It is significant that Burtley provided this description on November 23, for it was not until the following day, the 24th, that he saw and "verified" Dr. Roswell's similar description of the wound on a body chart. The certificate is as follows:

130



COMMISSION EXHIBIT 390

49



COMMISSION EXHIBIT 850

850

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GROUP FOUR-

THE CONSPIRACY COMMUNITY

The "conspiracy community" is an often talked-about and much-maligned segment of Gerald Posner's book Case Closed. Many times, Posner deals with the conspiracy theorists and critics of the Warren Report very unjustly. In his few warranted attacks, Posner only blasts the most far-out and unbelievable theorists. The most he can do with legitimate critics, such as Harold Weisberg or Sylvia Meagher, is misrepresent the facts they make very clear in their own books. He cannot find anything of theirs to discredit so he just attacks them, without warrant or justification. When Posner is not busy attacking the credibility of the evidence used by conspiracy theorists, he is busy attacking these critics as left-wingers - a bunch of liberals with unbelievable and false claims. In this attack, as well as many others, Gerald Posner is very much off-base.

Case Closed attacks the credibility of many of the conspiracy theorists' cases. It attacks Jim Garrison's work as well as Oliver Stone's movie JFK, both of which are known to be untruthful. Case Closed also attacks David Lifton, the somewhat suspect author of Best Evidence. Although Posner actually does attack some of Lifton's more questionable points, Posner purposely assaults Lifton for his (Lifton's) "two casket theory."¹ This theory asserts that President John F. Kennedy's body boarded Air Force One in a bronze casket and exited Air Force One in a simple gray one, proving supposedly that JFK's body was stolen while on the plane. Actually, Paul Kennedy O'Conner is the one who claimed the President's body came to Bethesda in the shipping casket.² Therefore, this claim was not originated by Lifton. This misrepresentation is just one example of many that Posner deceptively tells his reader.

Case Closed also attacks Harold Weisberg, a man who knows more about President Kennedy's assassination than anyone.³ Case Closed claims that Dr. Renatus Hartogs first diagnosed Lee Harvey Oswald's potential for violence when Oswald was a youngster of fourteen.⁴ This book seems to say that Dr. Hartogs saw a quality in the young man which eventually led the older Oswald to assassinate the President of the United States. With this section on the doctor, Case Closed begins to lay a foundation for the case against Oswald by labeling him early as potentially violent. Case Closed attacks Harold Weisberg for not including Dr. Hartogs' diagnosis in his books.⁵ What Case Closed fails to point out, however are other statements by Dr. Hartogs to the Warren Commission that do not help Posner's case. In his Whitewash, Mr. Weisberg points out two of these statements. Dr. Hartogs stated that there was no way to predict Oswald's alleged final act of violence from his tendencies as a teenager. The doctor also maintained that, despite reports to the contrary, his original psychiatric examination did not reveal potential danger in Oswald.⁶

Case Closed belittles Harold Weisberg for asserting that "Oswald's marksmanship was rather poor".⁷ Posner speaks of Oswald qualifying as a sharpshooter, in the Marines, he had trained for only three weeks with a M-1 rifle. He boasts of Oswald qualifying as a marksman, even when Oswald was disgusted with the Marines and had no incentive to perform. Posner even quotes Marine Corps officer Sergeant James Zahm, who claimed Oswald was an "excellent shot" when compared to the typical man.⁸ All these statements tend to make Harold Weisberg seem wrong when he certainly is not. Weisberg points out that Oswald qualified as a sharpshooter only after he underwent thorough training

under a skilled supervisor and with an excellent rifle. At a later time and without the thorough training, Oswald did not duplicate his original "feat". He barely made the level of marksman.⁹

In Weisberg's Whitewash, Lieutenant-Colonel A.G. Folsom, Jr. put Oswald's supposedly great marksmanship into perspective in his response to an inquiry by the Warren Commission. Folsom states that any Marine, following specific instructions, is reasonably expected to become a marksman. Furthermore, he communicates the Marine Corps' opinion that most Marines will become a sharpshooter when allowed to develop "a reasonable amount of adaptability to weapons firing".¹⁰ Simply stated, Folsom deemed a marksman to be a rather poor shooter and a sharpshooter to be a fairly good shooter. Even James Zahm, the man who claimed Oswald to be a good shot, maintained that Oswald should have taken a minimum of ten test shots before using a rifle with a telescopic sight.¹¹

Another fact, pointed out in Weisberg's book Whitewash, should also be noted. In his testimony, Sergeant Zahm stated that the shots that hit the President at both the head and the neck would have been an easy shot for a man with Oswald's capabilities.¹² When this claim was actually tested, three genuine marksman could not accomplish what Oswald is said to have done. The test marksman even had unlimited time and nonmoving targets to duplicate this feat! All of the facts, put together, shed much new light on Posner's claims!

It is interesting to note that, although Gerald Posner goes to great lengths to attack what Harold Weisberg has already proven as fact, he uses Weisberg to help intensify his attack on another conspiracy theorist. Posner criticizes, Mark Lane, the author of the much-read book Rush to Judgement, is criticized by Posner for

using only facts that support his argument while ignoring others that do not.¹³ Posner uses Mr. Weisberg to aid him in his criticism. He notes Weisberg's view of Lane as only writing for self-promotion and money.¹⁴ He cites Weisberg to aid in his attack on Lane, but previously, the only thing Gerald Posner was interested in was belittling Weisburg. First he attacks Weisberg's character. Next, he quotes Robert Blakey as saying Weisberg's work was based on mere accusations.¹⁵ Posner knows that this claim is not true, and that is why he relies on someone else to make it. Harold Weisberg's book Whitewash not only tells the truth, but also tells where evidence is found to support the truth. Just look at Weisberg's proof in support of the evidence surrounding Dr. Hartogs' and Oswald's marksmanship. It is all there! How can an author try to discredit a man and immediately afterwards, use that same man's opinion in trying to discredit another man? This incident clearly demonstrates the lies and deceit that Gerald Posner tries to get away with in his book.

Sylvia Meagher is also the subject of Posner's unfounded attacks. Many times, Posner misleads his reader by giving Meagher's quotes out of context, not giving her full quote, or implying that she has no proof of what she says when proof is actually well explained and well documented. For example, Case Closed mis represents Meagher by quoting her, out of context, as saying that there is no evidence that Oswald was in anyway mentally disturbed.¹⁶ Posner completely ignores all the proof that Sylvia Meagher gives in support of this statement. First, Meagher points out Oswald's own medical records from his career in the Marine Corps, which never show any "sign of emotional problems, mental abnormality, or psychosis".¹⁷ The

psychiatric evaluation of Lee Harvey Oswald during his stay in the Soviet Union again showed no sign of a psychotic mind or a homicidal tendency. Finally, Meagher presents the psychiatric evaluation of Dr. Renatus Hartogs, the same report Posner uses to help "close" his case, to reinforce her own case. This report, again showed no indication of psychotic behavior. Although in his testimony to the Warren Commission Dr. Hartogs claimed that the younger Oswald had definite potential for violence, his review of his actual 1953 report found that there was actually no mention of this potential or any incipient schizophrenia.¹⁸ Because of all this evidence, there is more than enough reason for Sylvia Meagher to conclude that Oswald, though not a model citizen, was not mentally disturbed, either.

Posner also asserts that Sylvia Meagher claimed Oswald's Carcano had a "hair trigger, which would have hurt Oswald's marksmanship".¹⁹ In actuality, Meagher does not make this claim at all. In her book Accessories After the Fact, Sylvia Meagher quotes Army expert Ronald Simmons as making this claim.²⁰ She never initiates any claim like this one! She simply quotes someone with an expert opinion.

Another notable murder took place in Dallas on November 22, 1963, the murder of Dallas police officer J.D. Tippit. This murder was also attributed, by Dallas police, to Oswald. There are some questions, though, as to Oswald's real guilt in this homicide. Gerald Posner claims that he has proof of Oswald's guilt, noting close witness Domingo Benavides. Posner claims that Benavides, in his testimony before the Warren Commission, said he (Benavides) had identified Oswald as Officer Tippit's killer from television photos.²¹ Meagher claims just the opposite, and she is criticized for this claim by

Gerald Posner.²² The truth is found in Mr. Benavides actual testimony to the Warren Commission. In his testimony, Benavides claims that he told police on the day of the assassination that he did not think he could identify Tippit's killer.²³ Mr. Benavides was then asked how he knew to use the name Oswald (in reference to killer). Benavides said that the picture on television made him believe the murderer was Oswald. In his own words, "[i]t looked like a guy, resembled the guy".²⁴ Benavides never made a positive identification of Oswald as a murderer on any occasion. Once again, Ms. Meagher was correct.

Another simpler attack on Sylvia Meagher indicates just how many tactics Posner will use to misrepresent her work. Posner, in an appendix to Case Closed, maintains that the supposed "mystery deaths" surrounding the assassination are not real mysteries at all. He quotes Sylvia Meagher as saying that "witnesses appear to be dying like flies".²⁵ Meagher actually states that, "[v]iewed subjectively, the witnesses appear to be dying like flies".²⁶ If Posner would have read on after this sentence, he would have found what else Ms. Meagher points out. In truth, no authoritative voice has actually rendered his or her opinion on the odds that all the "mystery deaths" could have happened as they have.²⁷ Meagher is saying that no one should make a conclusion either way. Like so many other occasions, Mr. Posner has simply distorted her words.

And, there is yet another incident where Posner again changes the appearance of Meagher's words. She, with reference to the Warren Report, states that the assassin may not have even been shooting from the sixth floor of the depository, considering the seventh floor has a better vantage point.²⁸ And, as stated earlier, she backs

this point up with evidence and photographs from the Warren Report. However, Posner, ignores the concrete foundations of her ideas and portrays it as nonsense. Unless the reader goes back and refers to Meagher's Accessories After the Fact and then to the Warren Report, he or she has no way of knowing that Posner is flat out distorting and manipulating facts to discredit Sylvia Meagher and by doing such he is trying to make himself look like a knowledgeable, respectable expert.

Finally, and most unjustly, Gerald Posner attacks Sylvia Meagher as a "committed leftist".²⁹ He says strongly that "her politics are clear throughout the book".³⁰ In reality, Accessories After the Fact is very objective, presenting and interpreting facts as they are. One example of this objectivity is Meagher's treatment of the "mystery deaths" in her book. She says, as has already been stated, that no definite professional opinion has been given on these deaths.³¹ A more telling display of Meagher's objectivity occurs later in the same book. In her chapter entitled "No Conspiracy?", Meagher includes a very important note. She states that "[t]he known facts [of the investigation] are subject to several different interpretations".³² The purpose of Ms. Meagher's analysis, as she herself states, is only to raise doubts about the FBI's investigation into the assassination as well as the Warren Commission's purpose and objectivity in evaluating and interpreting the evidence they had.³³ How could this note come from a woman who, according to Posner, had made her views clear throughout the book? These two examples are, in fact, verifiable proof of Sylvia Meagher's true objectivity.

Time and time again, Gerald Posner has proven to be, at the

very least, a deceitful writer. If the misrepresentations Posner has presented to his reader are not enough to convince some people of his dishonesty, other things that Posner has done should. For example, Case Closed quotes David Lifton as saying President Kennedy's body only left Dallas unaltered because Governor Connally was shot.⁸⁴ When the reference to this quote is looked up, the quote is nowhere to be found! Also, Posner attributes a direct quote to Harold Weisberg on page eighteen of Posner's book. There is no book or page number shown in reference to this quote. It almost seems as though Posner does not want his quotes to be found. This type of misleading endnoting occurs throughout Case Closed, making it very difficult to check what Posner writes.

Gerald Posner relentlessly attacks those conspiracy theorists with holes in their stories or those that use obvious falsehoods. He can do little more with legitimate critics such as Harold Weisberg or Sylvia Meagher than misrepresent their actual statements or assassinate their character. The problem with Gerald Posner lies not in what he chooses to attack but in what he ignores. He ignores David R. Wrone's The Assassination of John F. Kennedy: A Comprehensive, Historical and Legal Bibliography, 1963-1979. Posner had to know about this book because he interviewed Wrone! He also ignores, or misrepresents the evidence that points to the contrary of his view of the truth.

Most importantly, Case Closed ignores the fact that conspiracy theorists are of different stripes. It is easy to question a theory consisting of switched coffins or involving the infamous "umbrella man". Posner's implications are that all conspiracy theorists are this irrational, this extreme, in their views. The irrational writers have conveyed every possible explanation for the assassination they

can come up with. These explanations range from connections to Brigham Young to links to ancient Egypt.³⁵ A certain Doonsbury comic points out this view quite well. On one side, there is the "logical" view of Lee Harvey Oswald firing three shots at the President. Opposite that picture are all the unbelievable aspects of the conspiracy community: the "badge man", hundreds of conspirators, and over one hundred "mystery deaths" are among what is shown. The implication here is that, if you do not believe the Warren Commission's version of the truth, you believe that which is incredible and unfathomable! Not at all mentioned in this cartoon is the middle of the two extremes. This basically unheard of viewpoint includes the likes of Weisberg and Meagher, those who do not claim to have solved the murder but do question the investigation of it. In Harold Weisberg's words, the middle ground finds that, "the commission failed us" and "proliferating conspiracy theories mislead and confuse".³⁶ This view is not far-fetched and unfathomable. It is credible and backed up with much evidence. Just because many conspiracy theorists have failed to prove their far-fetched views, there is no reason for people to stop questioning the rationale and findings of the Warren Commission. Simply those interested in finding the truth should look to the lonely and much less talked about middle ground.

Endnotes

1. Gerald Posner, Case Closed (New York, New York: Random House, 1993) 296, 300
2. David Lifton, Best Evidence (New York, New York: Macmillan, 1980) 598-99
3. Harold Weisberg, Case Open (New York New York: Carol an Graf, 1994) back cover
4. Posner, Case Closed p.13
5. Ibid. p.13
6. Harold Weisberg, Whitewash: The Report on the Warren Report (Fredrick, MD: Self published, 1965) 10. See appendix A.
7. Posner, *op.cit.*, p.20
8. Ibid. p.20
9. Weisberg, Whitewash: The Report on the Warren Report p.25. See Appendix B.
10. Ibid. p.26
11. Ibid. p.26
12. Warren Commission. vol. XI, p.309-10. See appendix D and E.
13. Posner, *op.cite.*, p.415
14. Ibid. p.415
15. Ibid. p.414
16. Ibid. p.13
17. Syla Meagher, Accessories After the Fact: the Warren Commission, the Authorities, and the Report. (New York, New York: Random House, 1967) 244
18. Ibid. p.244
19. Posner, *op.cit.*, p.273
20. Meagher, *op.cit.*, p.102
21. Posner, *op.cit.*, p.276
22. Ibid. p.276
23. Warren Commission, Vol XI. p.451-52. See Appendix E.
24. Ibid. P.452. See Appendix G.
25. Posner, *op.cit.*, p.483-84
26. Meagher, *op.cit.*, p. 301

27. Ibid. p. 301
28. Ibid. p. 43
29. Posner, op. cit., p. 419
30. Ibid. p. 419
31. Meagher, op. cit., p. 301
32. Ibid. p. 351. See appendix H.
33. Ibid. p. 351
34. Posner, op. cit., p. 299. See appendix I.
35. Deloyd Guth, David R. Wrone, The Assassination of John F. Kennedy: A Comprehensive Historical and Legal Biography, 1963-1992. pg. XX (introduction)
35. Harold Weisberg, "Lonely Man in the Middle." The Washington Post
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Appendix

A

and the object of study by social service agencies.

The Report does evaluate testimony from the trained people who examined Oswald because of his truancy. These included Dr. Renatus Hartogs, a psychiatrist (8H214ff.). Although not necessarily valid with respect to Oswald the man, two comments in the Report are worthy of consideration because of the lack of alternatives:

"It would be incorrect, however, to believe that those aspects of Lee's personality which were observed in New York could have led anyone to predict the outbursts of violence which finally occurred." (R382)

"Contrary to reports that appeared after the assassination, the psychiatric examination did not indicate that Lee Oswald was a potential assassin, potentially dangerous, that his 'outlook on life had strongly paranoid overtones', or that he should be institutionalized." (R379)

A more recent psychiatric examination of the adult Oswald is in the Commission's record but avoided in the Report. While in the Soviet Union, Oswald attempted suicide. He was hospitalized and at that time was subjected to three days of psychiatric observation. The psychiatrist's conclusion was that he was "not dangerous to others" (18H464).

In January 1953 Oswald and his mother returned to New Orleans, living initially with relatives. His school work improved but remained mediocre. When in the tenth grade, he quit school after writing a note in his mother's name saying they were leaving town.

This was eleven days before his sixteenth birthday. He sought unsuccessfully to enlist in the Marines. Until he was finally accepted on October 26, 1956, he worked at various jobs, studied the Marine Corps manual, read much, and became interested in politics.

Just before his enlistment was to end, he obtained a fraudulent "hardship" discharge from the Marines and almost immediately left the country. His destination was the Soviet Union. He arrived in Moscow on October 16, 1959. After first applying for Soviet citizenship, which was never granted, he went to the United States Embassy and delivered a written renunciation of his citizenship, which was not in the proper form and was not accepted. The consul was able to divert him by various stratagems and Oswald never again made a serious effort in this direction. He worked in an electronics plant in Minsk, where he met and married on April 30, 1961, a 19-year-old pharmacist, Marina Prusakova. A month or two later, according to her account, he began talking to his wife about returning to the United States. There are contradictory versions which indicate Marina was interested in leaving the Soviet Union. After many difficulties and considerable assistance from the United States Government, including the loan of \$435.71, the couple and their infant daughter June crossed the Soviet frontier on June 2, 1962. They arrived in the United States on June 13 and flew to Fort Worth, Texas, the next day.

During his life in the Soviet Union, Oswald developed a thorough hatred for that country's political system. Four days after his arrival in Fort Worth, he asked a public stenographer to type a manuscript about his life in Russia and his observations. From the time of his return until his murder, Oswald was never regularly employed. He lived in Fort Worth, New Orleans and Dallas. He made a brief trip to Mexico at the end of September 1963 and returned to Dallas. He obtained employment at the Texas School Book Depository on October 16, 1963, after favorably impressing the manager, Roy S. Truly, in an interview. The lead on the job came from a neighbor of Mrs. Ruth Paine, with whom the then pregnant Marina and the baby lived while Oswald sought employment in Dallas.

During the week Oswald slept in a rented cubbyhole. He spent weekends with his family at the Paine home, in nearby Irving. There

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Appendix

to do it, but you don't have the capability ... to fire three shots controlled with accuracy, this boy couldn't do it."

Commission Assistant Counsel Wesley J. Liebeler asked, "You base that judgment on the fact that, in your own experience, it is difficult to do that sort of thing?"

"Mr. Andrews: You just don't pick up a rifle or a pistol or whatever weapon you are using and stay proficient with it. You have to know what you are doing.... Somebody else pulled the trigger ... It's just taking the 5 years (experience) and thinking about it a bit. I have fired as much as 40,000 rounds of ammo a day for 7 days a week. You get pretty good with it as long as you keep firing. Then I have gone back after 2 weeks. I used to be able to take a shotgun, go on a skeet, and pop 100 out of 100. After 2 weeks, I could only pop 60 of them. I would have to start again, same way with the rifle and machineguns. Every other person I knew, same thing happened to them. You just have to stay in it."

Assuming what was never true, that Oswald was a skilled marksman, how, where and with what did he practice to maintain this skill? There is testimony from a number of witnesses proving that a person seen at shooting galleries and looking like Oswald was not and could not have been him. There remains only the word of Marina, and all she said was that in New Orleans she saw him practice using the bolt and the scope, "dry runs", with a weapon she did not recognize, and in the dark! Even her unbelievable allegation that Oswald fired one bullet at General Edwin Walker is entirely without support. The expert testimony by FBI Ballistics Expert Robert A. Frazier was that he could not state even the manufacture of either the rifle or the bullet (3E429-40). The only bullet the Commission ever "knew" Oswald fired from his rifle was this Walker bullet.

Oswald's marksmanship in the Marine Corps, several years earlier, was poor, despite the efforts of the Report to establish otherwise. It nonetheless concludes "that Oswald had the capability with a rifle which enabled him to commit the assassination" (R19,195). The method by which this transformation was accomplished is of admirable simplicity: First, make invalid comparisons and then, when you get the best possible testimony, if it does not suit your purpose, just keep scraping the barrel until you do get what you want.

During his Marine Corps career, Oswald was twice tested in marksmanship. The first time came after an extensive period of training and under skilled supervision, with an excellent weapon with which he was thoroughly familiar and ammunition of unquestioned dependability. After first firing at least 250 rounds, he just managed to make the grade mistakenly called "Sharpshooter". This is one of three designations used by the Services to describe rifle skill. It is actually only the middle grade, the top being "Expert Rifleman". At that time, Oswald did make the middle grade, not near the top. In a later test, when not under the intensive training, he did very badly. He just made the very bottom of the lowest grade that everybody has to make, placing but a single bullet over the absolute minimum in the target. And even this was with a known weapon he had fired several hundred times and handled regularly!

The Commission asked the Marine Corps for information "relative to marksmanship capabilities of Lee Harvey Oswald". From the Headquarters of the Marine Corps came a response dated June 8, 1964, by Lieutenant-Colonel A. G. Folsom, Jr., head of the Records Branch of the Personnel Branch, "by direction of the Commandant of the Marine Corps" (19H16-8). Colonel Folsom also correlated proficiency with practice. He stated, "The Marine Corps considers that any reasona-

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ble application of the instructions given to Marines should permit them to be qualified as at least a marksman. To become qualified as a sharpshooter, the Marine Corps is of the opinion that most Marines with a reasonable amount of adaptability to weapons firing so become qualified. Consequently a low marksman qualification indicates a rather poor 'shot' and a sharpshooter qualification is a fairly good 'shot'."

So, Oswald at his military best was only "fairly good" and at the end of his service was a "poor shot".

To offset this destruction of its sand castle, the Commission compared Oswald with a number of men who have spent their lives firing and studying weapons, men of the highest competence, firing weapons regularly as part of their livelihoods for all or most of their adult years, men who had had scientific weapons training. Then on July 24, 1961, the Commission called James A. Zahn, a Marine non-commissioned officer in weapons training (11H306ff.). Zahn was willing to call Oswald a good shot. But even he specified a minimum of ten practice shots as prerequisite in the use of the telescopic sight (R192). And this, of course, assumed a good telescopic sight.

After deliberation, the Report concludes that Oswald's Marine experience, "his other rifle experience (a bad performance with a .22 rifle) and his established familiarity with this particular weapon (totally non-existent) show that he possessed ample capability to commit the assassination" (R195).

Just how easy were these assassination shots? Could the performance be regarded as within the "capability" of a man who was at the time less practiced than when the Marine Corps several years earlier had evaluated him as a "poor shot"?

The Commission arranged what it presumably considered a fair test, with its three genuine marksmen, "rated as master by the National Rifle Association" (R193). "The marksmen took as much time as they wanted for the first target and all hit the target. For the first four attempts, ... missed the second shot. ... Five of the six shots hit the third target ..." (R193). And they were firing at still targets, not moving, living things!

These three really were "masters": Two were civilians in the Small Arms Division of the Army's Development and Proof Services, and the third man was in the Army and had "a considerable background as a rifleman" (3E444). Yet even they were not able to do what the Report says Lee Harvey Oswald, the poor shot in the Marines, when out of practice, "had ample capacity to commit".

There is no reason to doubt that the ten-dollar rifle could be fired accurately. The improbability of an assassin ordering his weapon by mail when the same weapon was readily available locally (26H63) is not referred to in the Report, nor is his getting such a cheap weapon for such serious shooting. But the testimony of the experts is clear and unequivocal. The rifle could be fired accurately. (3H390ff.) Only not at the time of the assassination, and not when received at the FBI laboratories in Washington, for initial testing, or at Edgewood Arsenal for further tests.

Robert A. Frazier, the FBI's expert, said, "When we attempted to sight this rifle at Quantico we found that the elevation adjustment in the telescopic sight was not sufficient to bring the point of impact to the aiming point. ... every time we changed the adjusting screws to move the crosshairs in the telescopic sight in one direction it also affected the movement of the ... point of impact in the other direction." The defect in the sight was structural (3E405). So, "... we left the rifle (alone) as soon as it became stabilized and fired all of our shots with the point of impact actually high and to the right". Frazier did not know the nature of "the defect in the scope" but he had noticed a damage from which "the scope tube could have been bent or damaged" (3E406). After some experimentation, they learned that "you could take an aiming point low and to the left" and fire accurately (3E407). Such experimentation and adjustment were

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Mr. SPECTER. Sergeant Zahm, I am now going to show you the same photographs which I showed to Major Anderson in setting the basis for asking you a hypothetical question on capabilities here. As the record will show, we have heretofore before the President's Commission entered into evidence Exhibit No. 347 which is an overhead shot of Dealey Plaza. Commission Exhibit No. 348 which I am now displaying to you, is a photograph of the Texas School Depository Building. The evidence in the record indicates that the marksman stood at the point designated "A" with the lower half of the window being open halfway, and the gun protruding out of that window, pointing down the street called Elm Street in approximately the angle of my pencil which is virtually, although not exactly straight down the street. Elm Street declines 3° slopes under the triple underpass.

As the evidence will further show, Commission Exhibits Nos. 898 and 895 respectively depict frames 210 and 225 of the Zapruder film which is a range of the first shot from 176.9 feet to 190.8 feet. In the lower left-hand corner under designation "Photograph through rifle scope" there is shown the view of the marksman from the sixth floor of the depository building as he looked down at President Kennedy with this picture being taken of a stand-in for President Kennedy, with the white mark designating the spot on the President where the bullet struck him.

Assuming that the President was standing under those circumstances at the time of the shot, would a marksman using a Mannlicher-Carcano rifle with a four-power scope, would a man with Oswald's marksmanship capabilities be able to complete such a shot and strike the target on the white mark?

Sergeant ZAHM. Very definitely.

Mr. SPECTER. How would you characterize that as a difficult, not too difficult, or how would you characterize that shot?

Sergeant ZAHM. With the equipment he had and with his ability, I would characterize it as a very easy shot.

Mr. SPECTER. Now taking a look at Commission Exhibit No. 902, which as the record will show, has been introduced into evidence to depict the shot which struck President Kennedy in the head at a distance from the rifle in the window of the part of the President's body being 265.3 feet. Assuming the same factors as using a Mannlicher-Carcano rifle and pointing it down Elm Street as shown on Commission Exhibit No. 347, would a marksman of Mr. Oswald's capabilities using such a rifle with a 4-power scope be able to strike the President in the back of the head? Would Mr. Oswald possess the capability to complete such a shot which did, in this situation, strike the President in the back of the head?

Sergeant ZAHM. Yes; I think that aiming at the mass of what portion of the President is visible at that distance and with his equipment, he would very likely have attained a hit, not necessarily aiming and hitting in the head. This would have been a little more difficult and probably be to the top of his ability, aiming and striking the President in the head. But assuming that he aimed the mass to the center portion of the President's body, he would have hit him very definitely someplace, and the fact that he hit him in the head, but he could not have hit a hit.

Mr. SPECTER. So you would have expected a man of Oswald's capabilities at a distance of 265.3 feet to strike the President someplace aiming at him under those circumstances?

Sergeant ZAHM. Yes.

Mr. SPECTER. And within the range of where you would expect him to hit him, would that include the President's head?

Sergeant ZAHM. Yes.

Mr. SPECTER. And how would you characterize that shot with respect to difficulty, is it difficult or not difficult?

(Discussion off the record.)

Mr. SPECTER. Let's go back on the record. May the record show that Sergeant Zahm has questioned the appearance of the "photograph through rifle scope" which appear on Exhibits Nos. 895 and 902. And as the record will show, there

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are only four photographs on Exhibit No. 895 whereas there are eight on Commission Exhibit No. 902, so that necessarily the photograph through the scope is much smaller as it is depicted on Exhibit No. 902, and I want to bear that in mind, Sergeant Zahn, in answering the question as to whether you consider the shot at a distance of 205.8 feet to be difficult or not difficult, or characterize it for me in your own words.

Sergeant ZAHM: I consider it still an easy shot, a little more difficult than the President's body position and increase in distance of approximately 10 feet, but I still consider it an easy shot for a man with the equipment he had and his ability.

Mr. SPECTER. Assuming that there were three shots fired in a range of 2 to 5.0 seconds, would that speed of firing at that range indicated in the prior questions be within Mr. Oswald's capabilities as a marksman?

Sergeant ZAHM. Yes.

Mr. SPECTER. What effect if any would the alignment of the street have on the moving vehicle in the way that it is shown on the picture, Exhibit No. 895?

Sergeant ZAHM. This is a definite advantage to the shooter, the vehicle moving directly away from him and the downgrade of the street, and he being in an elevated position made an almost stationary target while he was aiming, very little movement if any.

Mr. SPECTER. How would the fact that the street had a 3° decline affect the difficulty of the shot.

Sergeant ZAHM. It would make it easier because Oswald was in an elevated position, and therefore if the car was traveling on a level terrain, it would apparently—he would have to keep adjusting by holding up a little bit as the car traveled. But by going downgrade this just straightened out his line of sight that much better.

Mr. SPECTER. So that if the car had been proceeding on a level, the assassin would have had to have raised his weapon as the distance between the rifle and the car increased to allow for trajectory?

Sergeant ZAHM. No; just to allow for the movement of the targets, the travel. Assume that you are aiming standing at ground level and aiming down a little at somebody walking straight away from you, and you could hold your finger and point to him and never have to move it. But when he gets to the bottom of the hill and the ground levels out, then as he continues on you have to point your finger—

Mr. SPECTER. Raise your finger as you are indicating with your finger now?

Sergeant ZAHM. Right; you would have to raise your finger to track the target.

Mr. SPECTER. So that if you were aiming at a man in a moving car driving on the horizontal, as he got farther away from you, would you (a) hold your rifle at the same level, (b) lower it, or (c) raise it?

Sergeant ZAHM. If you were in an elevated, a slightly elevated position, and he was driving on straight level terrain, you would have to continually track and raise your weapon as he increased his distance from you.

Mr. SPECTER. And if he was going down in an angle of descent, would that decrease the necessity for you to raise your rifle in tracking him?

Sergeant ZAHM. Right; it would slow the movement down. There still might be a slight movement, but it wouldn't be as fast. Therefore, not affecting the aiming or possibly having to introduce a lead in your aiming, because the target is staying relative in the same position on the line of sight.

Mr. SPECTER. So then it would have been an aid to the assassin to have had the President's car going on a downgrade because that would have taken into consideration some of the adjustment necessary by virtue of the greater distance between the rifle and the victim?

Sergeant ZAHM. Yes.

Mr. SPECTER. Do you have anything to add, Sergeant Zahn, which you think might be helpful in this analysis?

Sergeant ZAHM. No, sir; I don't think so.

Mr. SPECTER. Thank you very much for appearing before the Commission today, sir.

Appendix

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Mr. BELIN. Was he average weight, slender, or heavy?
 Mr. BENAVIDES. I would say he was average weight.
 Mr. BELIN. What color hair did he have?
 Mr. BENAVIDES. Oh, dark. I mean not dark.
 Mr. BELIN. Black hair?
 Mr. BENAVIDES. No. Not black or brown, just kind of a—
 Mr. BELIN. My color hair?
 Mr. BENAVIDES. Yes.
 Mr. BELIN. You say he is my size, my weight, and my color hair?
 Mr. BENAVIDES. He kind of looks like—well, his hair was a little bit curlier.
 Mr. BELIN. Anything else about him that looked like me.
 Mr. BENAVIDES. No, that is all.
 Mr. BELIN. What about his skin? Was he fair complexioned or dark complexioned?
 Mr. BENAVIDES. He wasn't dark.
 Mr. BELIN. Average complexion?
 Mr. BENAVIDES. No; a little bit darker than average.
 Mr. BELIN. My complexion?
 Mr. BENAVIDES. I wouldn't say that any more. I would say he is about your complexion, sir. Of course he looked, his skin looked a little bit ruddier than mine.
 Mr. BELIN. His skin looked ruddier than mine?
 I might say for the record, that I was not in Dallas on November 22, 1963.
 Mr. BENAVIDES. No, just your size.
 Mr. BELIN. Did he look like me?
 Mr. BENAVIDES. No; your face, not your face, but just your size.
 Mr. BELIN. Okay, well, I thank you. I was flying from St. Louis to Des Moines, Iowa, at about this time.
 Is there anything else?
 Mr. BENAVIDES. I remember the back of his head seemed like his hairline was sort of—looked like his hairline sort of went square instead of tapered off, and he looked like he needed a haircut for about 2 weeks, but his hair didn't taper off, it kind of went down and squared off and made his head look flat in back.
 Mr. BELIN. When you put these two shells that you found in this cigarette package, what did you do with them?
 Mr. BENAVIDES. I gave them to an officer.
 Mr. BELIN. That came out to the scene shortly after?
 Mr. BENAVIDES. Yes, sir.
 Mr. BELIN. Do you remember the name of the officer?
 Mr. BENAVIDES. No, sir; I didn't even ask him. I just told him that this was the shells that he had fired, and I handed them to him. Seemed like he was a young guy, maybe 24.
 Mr. BELIN. How old would you say the man that you saw with gun was?
 Mr. BENAVIDES. I figured he was around 25.
 Mr. BELIN. When the officers came out there, did you tell them what you had seen?
 Mr. BENAVIDES. No, sir.
 Mr. BELIN. What did you do?
 Mr. BENAVIDES. I left right after. I give the shells to the officer. I turned around and went back and we returned to work.
 Mr. BELIN. Then what happened? Did the officers ever get in touch with you?
 Mr. BENAVIDES. I was on that evening about 10:30, and I saw two officers come by and asked me if I had any shells. I said no, and they said they had seen the shells and the reporters were there and was going to hide from the reporters because they will just bother you all the time.
 I was standing there and they thought this was the only place they could hide. At the time I didn't know the resident was dead or they had been shot. So I just went to hide from the reporters and everything, and these two officers came around and asked me if I'd seen him and I told him yes and told

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them what I had seen, and they asked me if I could identify him, and I said I don't think I could.

At this time I was sure, I wasn't sure that I could or not. I wasn't going to say I could identify and go down and couldn't have.

Mr. BELIN. Did he ever take you to the police station and ask you if you could identify him?

Mr. BENAVIDES. No; they didn't.

Mr. BELIN. You used the name Oswald. How did you know this man was Oswald?

Mr. BENAVIDES. From the pictures I had seen. It looked like a guy, resembled the guy. That was the reason I figured it was Oswald.

Mr. BELIN. Were they newspaper pictures or television pictures, or both, or neither?

Mr. BENAVIDES. Well, television pictures and newspaper pictures. The thing lasted about a month, I believe, it seemed like.

Mr. BELIN. Pardon.

Mr. BENAVIDES. I showed—I believe they showed pictures of him every day for a long time there.

Mr. BELIN. Did you talk to anyone at all there that witnessed what was going on?

Mr. BENAVIDES. No; sure didn't. There was people that asked me what happened, came up in the crowd there and asked me what happened, and I said just the policeman got shot.

Mr. BELIN. You talked to Ted Callaway, did you?

Mr. BENAVIDES. No; afterward. You know, I told your—I told him, he asked me when we went, when Ted Callaway got around there, he opened the car door and picked up the phone and called in and told them there was an officer that had been killed. But the officer on the other side of the radio told him to hang up the phone to keep the lines clear, or something of that sort.

Then he jumped out and ran around and he asked me did I see what happened, and I said yes. And he said let's chase him, and I said no.

Mr. BELIN. Why did you say "No"?

Mr. BENAVIDES. Well, he was reaching down and getting the gun out of the policeman's hand, and I didn't think he should bother to go like that. So he then turned around and went to the cab that was sitting on the corner.

Mr. BELIN. This cab?

Mr. BENAVIDES. Yes. There was a cab sitting—oh, there isn't a sidewalk on Patton Street. I mean there is sidewalks, but not a curb, and this cab had pulled in there by the stop sign.

Mr. BELIN. Which way was the cab headed on Patton Street?

Mr. BENAVIDES. It was headed north on Patton Street.

Mr. BELIN. Was it on the south side of 10th or the north side of 10th when it was parked there?

Mr. BENAVIDES. It would be on the south side of 10th.

Mr. BELIN. Was it on the east side of Patton or the west?

Mr. BENAVIDES. It would be on the east side of Patton.

Mr. BELIN. If the cab was on the east side of Patton, would the front part of the cab be on the sidewalk on East 10th?

Mr. BENAVIDES. If it had been a curb there, he would be up

part of the cab was, I would say, maybe 5 or 6

feet from the sidewalk. If it had been a curb there, he would be up

part of, if it had been a curb there, he would be up

then got in the taxicab and the taxicab came

high way he went. I told him he went down

way, and come to find out later Ted had already

before he had seen him go by?

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Mr. BENAVIDES
Mr. BELIN

Warren Report

Appendix

H

Chapter 21 No Conspiracy?

Note: In the analysis of the "auto demonstration" episode and others which follow, it is not the writer's intention to suggest that Oswald was the instrument of a conspiracy. The known facts are subject to several different interpretations, including the practice of deliberate impersonation. The analysis seeks only to raise legitimate questions about the performance of FBI agents who investigated the assassination and about the competence and good faith with which the Warren Commission pursued, evaluated, and reported the evidence.

The Auto Demonstration

The Warren Report devotes little more than a page to the incident reported by Albert Guy Bogard, a car salesman. His allegations and the manner in which they were handled are more important than suggested by the space they receive in the 888-page volume.

The Report states that Bogard's testimony "has been carefully evaluated because it suggests the possibility that Oswald may have been a proficient automobile driver and, during November 1963, might have been expecting funds with which to purchase a car." (WR 320) The facts, as presented in the Report (WR 320-321), are that Bogard claimed that he had a customer on Saturday, November 9, 1963 whom he identified as Lee Harvey Oswald. Oswald had tested a car by driving over the Stemmons Freeway at high speed and had said that he would

Accessories After the Fact

Appendix

I

Chronology

6:45 (approx.) Dennis David observes arrival of black hearse at rear entrance with plain metal casket, accompanied by 6-7 men in plain clothes

6:45 (approx.) Shipping casket brought into morgue; Paul O'Connor reports JFK's body wrapped in body bag; no brain inside head. O'Connor recollects this occurred at 8:00 P.M.

6:55 Navy ambulance arrives at Bethesda front entrance
Jacqueline Kennedy enters hospital

6:55-7:05 Dennis David and Jerrol Custer (carrying exposed X-ray film) see Jacqueline Kennedy enter hospital

6:55-?? McHugh argues with admirals

6:55-7:05 Military officials confer at door of ambulance

7:05 Ambulance drives off
—casket team loses ambulance; chase according to Clark and Felder; two fruitless roundtrips to rear, according to Barrum; confusion caused by two ambulances
—FBI accompanies Dallas casket to morgue entrance
—FBI prevented from entering morgue

7:17 Time of preparation for autopsy, according to FBI

7:30 Kellerman's estimate of latest time body arrived at morgue and autopsy began

8:00 Casket team carries in Dallas casket, assisted by McHugh

8:15 Time of first incision, according to FBI

8:50 Secret Service gives bullet 399 to FBI lab

10:00 Two bullet fragments found in car

10:30 Autopsy formally begins, according to Dr. Ebersole, who saw the throat wound sutured

11:00-12:00
midnight Sibert and O'Neill telephone headquarters from morgue; informed of bullet found on Dallas stretcher

12:00 midnight Humes states autopsy results—two shots from rear

November 23, 1963

12:26 A.M. EST Oswald charged in President's assassination

1:45 Sibert and O'Neill bring metal fragments to FBI lab

2:00 Sibert and O'Neill teletype autopsy results to Dallas

3:56 Jacqueline Kennedy accompanies body to White House

6:00 Chicago FBI find Oswald's order for rifle at Klein's

6:30 FBI Agent Drain arrives in Washington with rifle

9:00 FBI receives clothing from Secret Service

sometime that morning FBI lab matches gun and bullets

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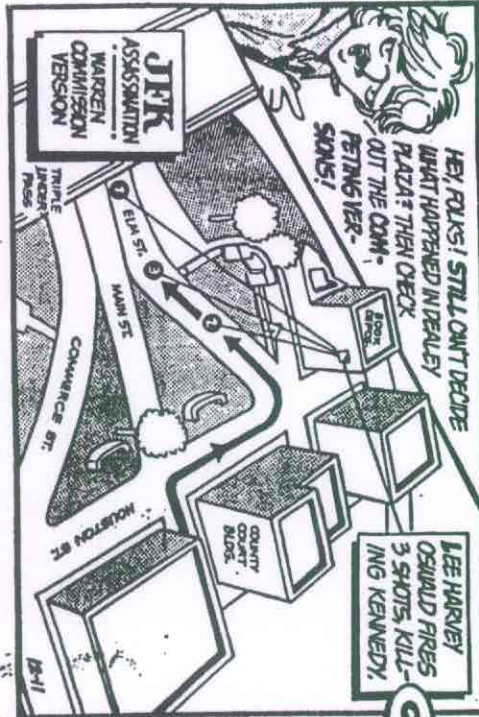
Best Evidence
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By G.B. Trudeau

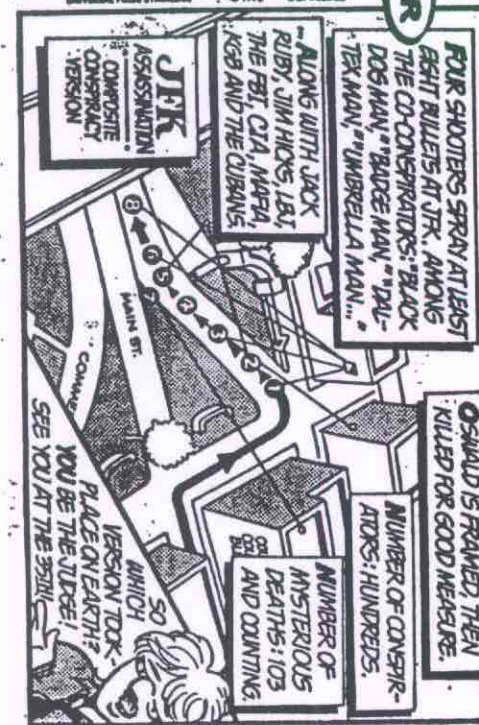
SICK

DOONESBURY

SICK, SICK



OR



Lonely Man in the Middle

It took 27 years, but David Belin, writing with Gerald R. Ford, has finally said one thing with which I agree: Nigel Turner's A&E network series "The Men Who Killed Kennedy" and Oliver Stone's current commercialization and exploitation of that great tragedy are both very, very bad ["Kennedy Assassination: How About the Truth?" op-ed, Dec. 19].

I am responsible for what Stone has converted into a nonexisting "establishment" press—A conspiracy to destroy him and his movie. I gave reporter George Lardner Oliver Stone's script, which is based on former New Orleans district attorney Jim Garrison's fantasy of self-justification, his book "On the Trail of the Assassins."

Belin, as he has in the past and with the same clichés, insists that he and the Warren Commission were right solely because they say they were right.

Like other defenders of the Warren report, Belin demanded, "Where is the new evidence?" As I showed in my first book of 26 years ago, "Wharvest: The Report on the Warren Report," no new evidence was needed because the evidence the commission had disproves its conclusions.

It is not easy, but Belin is being unfair to Jim Garrison. To do this he had to contradict the most basic conclusion of the Warren Report that he insists is the truth, the sequence of and time permitted for the three shots that in all official "solutions" Lee Harvey Oswald fired.

Belin writes that "Garrison speaks only of three shots being fired within 5 to 5.6 seconds." Garrison did not write that. The commission itself did—without any Belin dissent. Now that Belin can no longer pretend not to know that the world's best shots, including the "masters" used by the commission, could not duplicate the shooting attributed to Oswald within the commission's 5.6 seconds, he conjectures—in open contradiction of the report he insists was accurate—that "the most probable time span of Oswald's three shots was around 10 seconds."

As in the past Belin repeats what is not true, not even possible, that there is "unequivocal ballistics evidence which shows that . . . the bullet that passed through President Kennedy's neck and struck Gov. Connally" was fired by Oswald from the rear.

There is no such evidence, ballistic or otherwise. This is

the theory invented by now Sen. Arlen Specter, known as the "single-bullet theory" featuring "the magic bullet."

Belin refers to all the supposed experts who confirmed this official fiction. He is careful not to refer to the actual findings of a Department of Justice panel of the most preeminent forensic pathologists. I published every word of what they filed in facsimile in my "Post Mortem" in 1975. Belin had it and was reading it that November when we debated at Vanderbilt University.

The report on the examination of the JFK autopsy pictures and X-rays by this panel of experts proves the commission was wrong in locating the fatal wound in the president's head; it was four inches higher than the commission said.

That magic and unscarred bullet that Belin says inflicted seven, nonfatal wounds on both victims, smashing one of Connally's ribs and his wrist, and did not strike bone that would have deflected it as it transited the president's neck, actually deposited five bone fragments in that area.

It was already a physical impossibility for this magic bullet to have the imagined career indispensable to the lone-assassin "solution." But if any bullet had entered Kennedy's back, the commission knowingly mislocated the hole it left. That hole is four or more inches lower than the commission said and in the back, not the neck. This is verified in some of the "new" evidence, which I published and Belin had—the official certificate of death.

The rest of the official career of this magical bullet, and there is nothing like this career in science or mythology, is that in transiting the president's neck from back to front it went through the president's shirt collar and the knot of his tie. It did not, and some of the commission and its staff, including Belin, knew it.

Specter questioned Charles Carrico, the only doctor who saw the president before any emergency procedure in Parkland Hospital and before any of his clothing was removed. Specter did not ask Carrico where the anterior neck wound was located. Former CIA director and commission member Allan Dulles then did ask this question.

Carrico pointed to above his collar!

Those 19 Humpty-Dumpty's Belin refers to as experts cannot alter this truth, which destroys the commission's

conclusions. With the bullet hole "above" the shirt collar, it could not have caused the damage to the collar and tie.

If the commission had done its job, it would have gotten what I did via the Freedom of Information Act, a clear picture of the damage to the president's shirt collar.

With the button and the button hole exactly in line and with the pattern at each end of the collar also coinciding exactly, the damages to the ends of the collar that overlapped when buttoned as it was do not coincide, as they would have if caused by a bullet.

The damage to each side is a slit, not a hole made by a bullet. Both slits are frayed. On the president's right, as worn, the slit begins below the neckband and extends downward. It is only about half the length of the slit in the left side as worn. This larger slit extends upward well onto the neckband, to where, if caused by a bullet, it would have struck the button.

The button is unscarred!

The damage to the shirt was not caused by any bullet. It was caused, as the commission's transcript indicates, in emergency procedures. Carrico demonstrated this far me by grasping his own tie with his left hand and making cutting motions upward and downward with his right hand. He told me what he was not asked by the commission, that two nurses under his supervision cut the tie off with a scalpel. There was no time to untie the knot. It was the scalpel that made the slits in the shirt collar.

Fewer pontifications from Belin would make less appropriate when applied to him his castigations of Stone and Turner, who deserve it also: "False charges . . . are a desecration to the memory of President Kennedy."

The Stones of one extreme and the Belins of the other confuse, mislead and deceive the people.

What gets lost in all this controversy is that there is a middle ground. I confess laziness in my economy of it. It is the ground that finds the commission failed us and proves this with fact and official documentation. It also finds that the proliferating conspiracy theories mislead and confuse as much as or more than the faulted official conclusions.

—Harold Weisberg

Washington Post

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Appendix

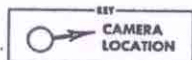
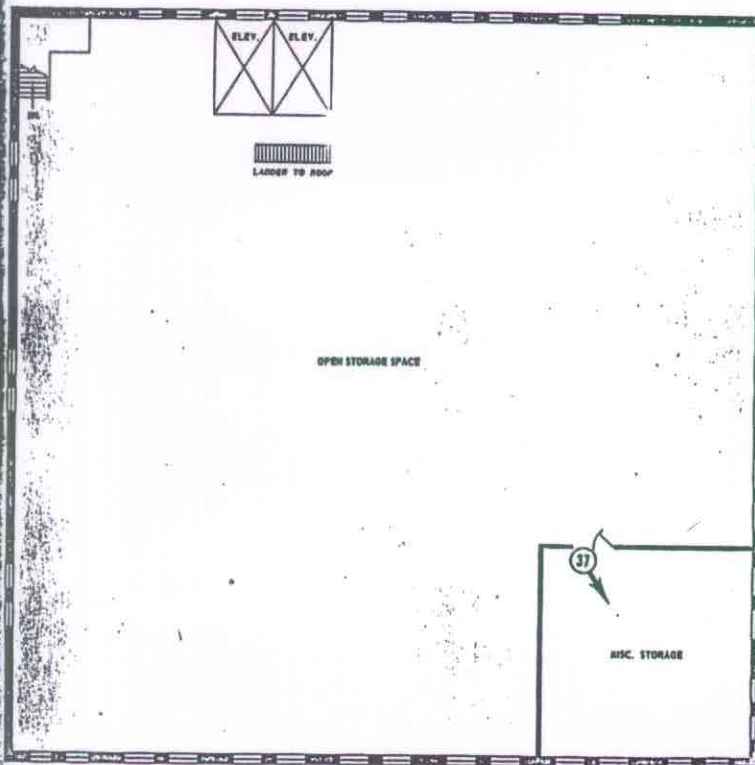
Appendix

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TEXAS SCHOOL BOOK DEPOSITORY
DIAGRAM OF SEVENTH FLOOR

H



ELM STREET



COMMISSION EXHIBIT 507

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Warren Report
(in Reference to Accessories)
- After the Fact