

## THE RUDDY LINK BETWEEN THE TIPPIT MURDER AND THE TEXAS THEATER

by

Tom Wallace Lyons

Did Lee Harvey Oswald shoot Patrolman J.D. Tippit, then go to the Texas Theater, his place of arrest, as claimed by the Warren Commission? The reasons to question this official story are legion. But a red-faced man may have taken the murder-to-theater route and slipped into the theater without buying a ticket. And, at that time, he could have somehow helped bring the police down on Lee Harvey Oswald. While Oswald was taken out of the front of the theater, police may have taken this other man out of the back. Though this red-faced man may not have been an Oswald look-alike, he could have borne a close enough resemblance to allow for Oswald's identification as Tippit's killer; an identification that was perhaps aided by coercion and a rigged lineup. Why is this scenario possible?

Tippit's killer was allegedly described as having a "red complexion" by Helen Markham, believed to be one of the closest witnesses to the Tippit shooting. The man alleged to have stolen into the theater was described as "ruddy looking to me" by Julia Postal, the ticket seller. Helen Markham supposedly said the man had a "red complexion" when she talked to FBI special agent, Bardwell D. Odum, on the afternoon of November 22, 1963. [1] However, on March 26, 1964, she told the Assistant Commission Counsel Joseph A. Ball that the assailant's complexion was not red. [2] Then, nearly thirty years after the event, Helen Markham stated that Tippit's killer had a "ruddy complexion." [3] The person who approached the Texas Theater was described as "ruddy looking to me" by Julia Postal when she testified before Ball on April 2, 1964. [4]

### HELEN MARKHAM RECONSIDERED

Helen Markham managed to become history's most maligned witness while on her way to work as a waitress. That is when she apparently saw the Tippit

shooting. She claims that, during a November 22 lineup, she identified Lee Harvey Oswald as Tippit's killer. Is this lady an "utter screwball" and "utterly unreliable" as alleged by Joseph Ball [5] and most critics? Perhaps. But she may deserve at least partial rehabilitation. Indeed, if the Tippit murder is the Rosetta Stone of the Kennedy assassination, Helen Markham could be one of its most enigmatic ciphers.

There are three witnesses who tend to corroborate Markham by linking Oswald to the scene of the murder, though perhaps not directly to the shooting. These witnesses are Barbara and Virginia Davis and William Scoggins. In *Accessories After The Fact*, Sylvia Meagher reminds us that William Scoggins, a taxi driver, "was not really an eyewitness because a bush obstructed his view of the actual shooting." [6] Meagher is technically correct. But Scoggins says he saw the man approach the car, heard the shots, and watched the officer fall. He says he saw the assailant "coming kind of toward me around that cutoff," and that it "seemed like I could see his face, his features and everything plain, you see." [7] About a year prior to the shooting, Scoggins had demonstrated excellent vision in an eye test. [8]

Scoggins' description of the assailant differs a bit from that of Markham. He says the man was "white, light complected, not real brown." [9] Because he probably saw a news photo of Oswald before the lineup, his identification is somewhat contaminated. [10]

Scoggins says the man was fooling with his pistol as he calmly left the scene of the shooting. [11] Sisters-in-law Barbara and Virginia Davis were napping when they heard the shots. Barbara states that, after they got up, they saw Oswald going through their yard and that he appeared to be unloading his gun. [12] Given the action with the pistol, Scoggins and the Davises were almost certainly watching the same person. Barbara and Virginia Davis both identified Oswald at the lineup the same day. Virginia Davis says she saw no pictures of Oswald prior to identification. [13] Thus, courtesy lineup identification, two sets of witnesses, the Davis sisters and Scoggins, corroborate each other and the "utter screwball" Helen Markham who ties Oswald directly to the murder.

Then there is Domingo Benavides, a close witness to the shooting. Benavides was not taken to the lineup

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because he did not think he could identify Tippit's assailant. However, he told Assistant Commission Counsel David W. Belin that television and newspaper pictures "resembled the guy" (Tippit's killer). [14] Interestingly, Benavides appears to provide partial corroboration to the Markham-Postal statements about the assailant's complexion. In a slightly mangled colloquy, Benavides says the suspect's "skin looked a bit RUD-DIER than mine" (my emphasis). [15] This is interesting since Benavides is of Latin extraction.

All witness credibility, including Markham's, was compromised by a lineup rightly assailed by critics who show that Oswald was made to stand out like a sore thumb. Perhaps the lineup was a product of police ineptitude; perhaps a conspiracy-driven attempt at witness manipulation. Either way it is hard to imagine that Oswald would have been fingered had Tippit's killer not borne at least some resemblance to him.

Admittedly, Oswald did not closely resemble the man whom Helen Markham described to Bardwell Odum. Odum writes that Markham described Tippit's killer as a "white male, about 18, black hair, red complexion, wearing black shoes, tan jacket, and dark trousers." [16] Granted this description is a bit off target. So probably is most description. That is why we have sketch artists.

On the subject of recognition, Mark Lane rightly savages Joseph Ball's leading cross examination of Helen Markham who claims at first not to have "recognized" anyone in the lineup. [17] Ball asks Markham, "Was there a number #2 man in there?" Markham responds that the number #2 man gave her the chills.

Mark Lane terms this a "mystical identification at best." Sylvia Meagher states that she got "a few cold chills" from reading about this "identification" (quotation marks are Meagher's). [18] But Lane and Meagher fail to mention that Markham remained uncertain of the identification until she had the man turned sideways and back around. [19] It wasn't just chills. Interestingly Markham discussed the lineup identification with Mark Lane in a phone-taped interview some three weeks prior to her Warren Commission appearance. [20] In the taped interview, her discussion of her identification of Oswald is more clear and to the point. [21] Lane does not mention that the Dallas waitress clearly refutes

his suggestion that she might have misidentified Oswald because she was terribly frightened. Markham tells Lane she had to be sure; that she had "them turn him." [22]

Mark Lane and Sylvia Meagher also challenge Markham's claim that she was alone with Tippit for "About 20 minutes" and that the patrolman tried to talk to her even though he is believed to have died instantly. [23] Markham was absolutely terrified by her experience. Fear may have magnified her time estimate. As regards Tippit's effort to speak, she tells Lane on the tape, "Yes sir, he tried to talk to me. He could not talk, get it plain enough for me to see, you know to hear him." Markham claims that Tippit knew of her presence, that she last saw him alive when they put him into the ambulance, [24] "which reached Tippit within no more than five minutes of the shooting." [25] Maybe Tippit did try to speak during a brief final moment. Perhaps Markham was fooled by an attempt to breathe or by neuro-muscular spasms. We will probably never know, a fact due in part to lingering uncertainty about the officer's head trauma. [26]

Sylvia Meagher delivers another punch when she says of Markham, "she was in hysterics and somehow managed to leave her shoes on top of Tippit's car (CE 1974)." [27] Meagher fails to give Markham's explanation. Markham states that Patrolman Tippit was bleeding profusely, then says, "I had my workshoes in my hand. I laid them up on the squad car." [28] Apparently the lady was protecting her shoes.

Helen Markham is consistent about the red face over the nearly three decades which transpire between her interview with Odum and the filmed interview with A & E. In the interim, during her testimony before Ball, she is inconsistent. She not only denies she told Odum that Tippit's killer had a red face. She also denies that she saw the black shoes indicated in Odum's notes. And she says she believes she described the killer as young, but not eighteen, the age written down by Odum. [29] In the A & E interview, the killer's "tan jacket" (Odum) becomes a brown jacket, and the "dark trousers" (Odum) become light grey. [30] Given her near consistency over time, what explains her inconsistency before the commission? Was her commission testimony altered?

Under this scenario, falsely transcribed statements about the killer's shoes, face and age create an apparent broad spectrum repudiation of Odum's notes. The purpose? Maybe to camouflage the important item (the red face) by repudiating two items that are not important (the shoes and Oswald's age); or perhaps to camouflage the age, 18, six years younger than Oswald. Investigators comparing Odum's notes and Commission testimony could hardly be blamed for finding Markham hopelessly inconsistent.

The suggestion that Markham's testimony may have been altered would not be justified were there not precedent. There are at least four assassination witnesses who apparently had their statements to Commission and other investigators misrepresented. They are S.M. Holland [31], Julia Ann Mercer [32], Roger Craig [33], and Carolyn Arnold. [34]

#### STRANGE DOINGS AT THE TEXAS THEATER

The generally unhurried post-assassination behavior attributed to Oswald is so inconsistent with his guilt and with his alleged antics at the Texas Theater that one must ask: Could the same man have engaged in such contradictory behavior in so short a time? A brief description of the Warren-Oswald's (Oswald according to the Warren Commission) post-assassination conduct will be followed by an examination of the circumstances that lead to his arrest.

Critics have amply demonstrated that, if guilty, Oswald was, in Fifties vernacular, the acme of cool. Right after the assassination, he is seen in the TSBD lunchroom, apparently sipping a coke. Momentarily a suspect, he confronts a gun leveled on him by a police officer. He takes this in stride. Unhurriedly, he leaves TSBD, boards a bus, then hails a taxi which he offers to an elderly lady. He is dropped near his rooming house to which he goes by foot. There he is seen by the housekeeper Earlene Roberts.

Apparently now in "quite a hurry," Oswald enters his room, then rushes out with his jacket and probably his pistol. [35] Strange priority to delay an escape to fetch a jacket! And one critic astutely noted that Oswald would have been insane to have retrieved his pistol after the assassination since he might have needed it for his escape. Oswald was not insane. And he may not have retrieved his pistol. Author Joachim Joesten raises

some doubts about this; [36] doubts worthy of consideration because of initial allegations that Tippit was dispatched with an automatic weapon. Also, prior to Oswald's arrest, a police officer radioed in his finding of what was apparently an automatic cartridge case. [37]

After leaving the Beckley Street rooming house, Oswald encounters Tippit and shoots him. The taxi driver, William Scoggins, says he trotted casually away from the scene; that he muttered something like "poor damn" cop or "poor dumb" cop. [38]

Though other witnesses track his flight, the Warren-Oswald manages to elude everyone until he turns up on Jefferson Boulevard; the location of the Texas Theater and a shoe store run by Johnny Calvin Brewer. Brewer hears sirens. He sees police cars. He has heard on a transistor radio about the Kennedy shooting and the shooting of a police officer in Oak Cliff, his area of work. Then the Warren-Oswald appears in his window. Let us now enumerate the means by which the unhurried cop killer attracts the police.

1. Oswald gets Brewer's attention by looking into the shoe store. Brewer's Oswald is "light complexioned," perhaps a different hew from the "ruddy looking to me" person described by Julia Postal. His shirt tail is out. And he "just seemed funny. His hair was sort of messed up and looked like he had been running, and he looked scared, and he looked funny." Has the casual assassin suddenly lost his cool? Also, Brewer believes he recognizes the man as having been a customer; he is sure he has seen him "some place before." After the police cars depart, "Oswald" looks over his shoulder, then leaves and goes toward the Texas Theater. [39]

This journey also takes Oswald back TOWARD THE SCENE OF THE SHOOTING. Writes Joachim Joesten, "OSWALD PASSED THE THEATER, THEN RETRACED HIS STEPS. If he was ducking a hot pursuit, why didn't he slip in the theater as he passed by?" And, asks Joesten, how did Oswald elude his pursuers and find the leisure to attract Brewer's attention? [40]

2. Oswald's arrest is not brought about by the assassination of President Kennedy; not by the shooting of a cop. It results from the third and final misdeed attributed to him on November 22, 1963; his surreptitious entry into the Texas Theater. Innocence on this

count alone would prove that Oswald was the patsy he claimed to be. [41]

Brewer says he stepped out of the shoe store and tracked Oswald as the latter made his way into the Texas Theater; that he actually saw him enter. [42] Since Oswald is relieved of \$13.87 in cash after his arrest, [43] there is only one apparent explanation for failure to purchase a ticket. He does not want Julia Postal to notice him; rather odd given his shoe store antics. And not too smart. Oswald is likely, though not certain, to be caught by Warren "Butch" Burroughs who tends the candy counter and takes tickets on week days. [44]

There are more contradictions. Joesten tells us that the shoe store is "half a block WEST of the theater." [45] But Postal tells us about an Oswald, panicked by sirens, who appears "flying around the corner"; "coming from EAST GOING WEST." [46] The Postal-Oswald seems to move TOWARD the shoe store, not AWAY from it as does the Brewer-Oswald.

Brewer says he would have noticed had Oswald purchased a ticket because he had a clear view of the ticket booth. But Brewer also says he walked up to the box office and asked Julia Postal if she had just sold a ticket to a man in a brown shirt. Asked why he posed this question, given his visual fix, Brewer responds, "I don't know." [47]

Postal says she didn't see Oswald sneak into the theater, "because I stepped out of the box office and went up to the front and was facing west. I was right at the box office facing west—." Does she remain right by the box office, or has she stepped away from it? And, given his panic, one might be surprised that Oswald escapes Postal's attention long enough for surreptitious entry. Whatever the case, Postal and Brewer decide that Oswald has ducked into the theater. Brewer goes in to check. Postal calls the police and describes Oswald as "ruddy looking to me." [48]

The above contradictions might be written off to descriptive and perceptual fallibility were it not for information developed by Leo Sauvage, Jim Marrs and J. Harris. [49] Leo Sauvage asked Dallas Assistant District Attorney Jim Bowie whether a telephone call had led to Oswald's arrest. Bowie told him there was a call from the cashier, but also that there were "Half a

dozen calls!" Bowie also told Sauvage he didn't know whether Oswald had purchased a ticket, that Postal was "too upset to remember." Subsequently Sauvage asked Julia Postal several questions, including the one about a ticket purchase. To all questions, Postal's response was "no comment." She was smiling widely. Asked whether she had been told to respond this way, she said, "no com—I mean, it's my own decision." [50]

In Crossfire and conversations with me, Marrs discussed a taped interview [51] with Butch Burroughs. Marrs states that Butch Burroughs (the ticket-candy man) told him that somebody indeed stole into the Texas Theater at about 1:35 p.m.; that he went and checked when he saw the double door to the theater open. Burroughs also checked the balcony to which the person had obviously ascended. He did not find him.

But this person was not Oswald. Marrs writes that Burroughs told him that Oswald purchased a ticket and even bought some popcorn; that he entered the theater shortly after 1 p.m., prior to the Tippit shooting. Marrs corroborates Burroughs on this point through Jack Davis, a theater patron, who told him that Oswald sat next to him minutes after the 1 p.m. beginning of the film.

Also, Marrs says Burroughs told him Julia Postal knows she sold Oswald a ticket. Due to intimidation, she has left Dallas to live in another city. If Marrs is correct, the man who stole into the theater may have precipitated the arrest by deliberately attracting Brewer's attention while Oswald was enjoying his popcorn.

Marrs referred me to J. Harris, a long time assassination investigator, who told me he interviewed Julia Postal. This interview took place in the office of the Texas Theater manager. Postal told Harris she thought she had glimpsed a surreptitious entry out of the corner of her eye. Eventually Harris turned the discussion to the moment the police brought Oswald out of the Texas Theater. Harris asked Postal whether, upon seeing Oswald, she had had any sense that she had sold him a ticket. Postal immediately burst into tears. Harris walked out of the office, then reinterviewed Postal in an attempt to calm her with less troubling questions. But she burst into tears again when asked whether she might have sold Oswald a ticket.

So what do we know? We know that Tippit was shot though not necessarily by Oswald. We know that Oswald was subsequently arrested at the Texas Theater. We also know that somebody did something to instigate calls to the police. Was this somebody a ruddy or red complected person seen by Julia Postal and Helen Markham? While this question cannot be answered, several possibilities should be considered.

#### WHO WAS MR. RED?

1. A RED HERRING: Ruddy looking and red complexion are vague; perhaps too vague to be taken seriously. Maybe Helen Markham is simply inconsistent. Also, Brewer and Scoggins did not ascribe a red face to "Oswald." Finally, if her sense of direction is accurate, Postal's "ruddy looking to me" person was going in the opposite direction from Brewer's subject. Postal and Brewer may have been talking about different men.
2. LEE HARVEY OSWALD. Dropped near his boarding house by the taxi driver William Whaley, Oswald, according to critics, couldn't make it to Tenth and Patton by the time of the Tippit murder. So much for the Whaley-Oswald. But there is the Craig-Oswald seen by Deputy Sheriff Roger Craig. When he saw Oswald in Dallas Police Captain J.W. Fritz's office soon after the latter's arrest, Craig identified him as the man in Dealey Plaza whom he had seen get into what was apparently a Rambler station wagon shortly after the assassination. [52] And what about the Click-Oswald? Dallas County Attorney Henry Wade claimed that a taxi driver named Daryl Click had picked Oswald up. But, according to Mark Lane, there was no Dallas taxi driver named Daryl Click. [53] Unresolved, the Click enigma forces us to consider a third mode of transportation for Oswald; two different taxis (Whaley-Click) and a Rambler station wagon (Craig). Finally there was T.F. White, an auto mechanic, who claims he saw Oswald in a 1961 Ford Falcon around the time of and near the site of the Tippit shooting. The Falcon was parked close to the intersection where Whaley supposedly dropped Oswald. [54]

Bottom line: Prior to his arrest, any temporal-geographical fix on Oswald is problematical. And

Oswald may have had a red face. Describing the changes in his brother upon his return from Russia, Robert Oswald says, "—he had always been very fair complected—his complexion was rather RUDDY at this time—you might say it appeared like an artificial suntan that you get out of a bottle, but very slight,—in other words, a tint of brown to a tint of yellow." [55] (*Italics mine*) We don't know, of course, whether Oswald retained this coloration until the assassination.

3. AN OSWALD LOOK-A-LIKE: In *Crossfire*, Jim Marrs tells us about Bernard J. Haire who saw police bring a man he thought to be Oswald out of the BACK of the Texas Theater. Oswald was taken out through the front. The Haire-Oswald was put into a police car and driven away. Not quoting Haire directly, Marrs writes that Haire said the man was "dressed in a pullover shirt and slacks and appeared to be FLUSHED as if HAVING BEEN in a struggle." [56] (*emphasis mine*). Or maybe he had a red complexion.

Marrs tells us Haire believed for almost twenty five years that he had witnessed Oswald's arrest. Marrs also notes that the Tippit homicide report states that Oswald was arrested in the balcony when in fact his arrest took place on the main floor. Interestingly, Haire was unable to discern whether this man was handcuffed. [57] Could this be the man alleged by Butch Burroughs to have stolen up to the balcony; the "ruddy looking to me" person seen by Julia Postal? Could the pullover shirt, mentioned by Haire, be the brown sports shirt with the shirt tail out described by Brewer and Postal? [58] If not, we have the possibility of three Oswalds haunting the Texas Theater:

1. The Warren-Oswald brought out the front.
2. The Brewer-Oswald of shoe store notoriety.
3. The Haire-Oswald escorted out the back of the theater.

Note: The Brewer and Haire-Oswald is without the jacket described by Markham to Bardwell Odum. An abandoned jacket was found near the scene of the shooting. But it may not have belonged to the murderer. [59]

4. THE RED COMPLEXIONED MAN DESCRIBED BY HELEN MARKHAM TO BARDWELL ODUM: This man may not differ significantly in appearance from the above mentioned Oswald look-alike. There are two intersecting issues of degree: The degree of actual resemblance and the degree to which manipulation, persuasion and/or coercion parlayed this resemblance into identification.

While I have no reason to think Helen Markham was coerced, I do believe the possibility should be considered. Why? Witness coercion has been well documented. Julia Postal has been mentioned as a possible victim. Others touched by threats or violence are Aquilla Clemons, Warren Reynolds and Domingo Benavides. Domingo received threats after the murder of his brother, Eddy, who resembled him.

What about the witnesses who corroborate Helen Markham? I have no reason to believe the taxi driver William Scoggins was intimidated. Like Scoggins, Barbara and Virginia Davis seem to receive scant mention by Warren critics, perhaps because they corroborate Helen Markham. But Barbara Davis may have told reporters that she only got a rear view of Oswald. [60] This would raise questions about her lineup identification. Later she told Commission Counsel Ball that Oswald "looked at me and then smiled—" [61] Can this apparent contradiction be explained by unknown pressures that caused these women to quickly move from Dallas to Athens, Texas?

Virginia Davis moved "about two weeks" after the assassination. [62] Barbara's departure time is unspecified. But it predates her March 26, 1964 Commission testimony. At the end of Barbara's hearing, Commission member Allen W. Dulles says, "You had moved from the house where these incidents took place." When Barbara answers affirmatively, discussion goes off the record. Her testimony ends. [63] This move off the record must arouse suspicion for two reasons. One is Barbara's possibly contradictory statements about whether she saw Oswald's face. The other is the known pattern of witness intimidation.

Was Helen Markham's lineup identification of Oswald truly free of persuasion? James P. Hosty Jr. claims that he saw Markham "positively" identify Oswald. [64] According to Captain Fritz, Markham identified Oswald

after looking "very carefully" at the suspects. [65] Fritz appears to get corroboration from Dallas Police Chief Jesse Curry who tells Commission General Counsel J. Lee Rankin that he heard Markham identify the suspect to Fritz. [66]

But Curry also says of Markham, "she didn't identify Oswald at that time," meaning the lineup. [67] This statement is made to Commission member Gerald R. Ford. Failure to call Curry on his apparent contradiction may stem from his being questioned by two different people. Still the statement leaves some doubt about what actually happened. And, given Barnard Haire's experience, a mistaken identity must be considered.

#### Notes

1. Report by Bardwell D. Odum, Federal Bureau of Investigation - FD-302. (Rev., 3-3-59) - DL 89-43; 11/23/63.
2. Warren Commission Hearings (WCH), Vol. III, p. 320.
3. A&E Home Video, Cat. No. #AAE-21204, Copyright, 1989; 1992 Central Television Enterprises; Arts & Entertainment Network, HEARST/ABCNBC.
4. WCH, Vol. VII, p. 11.
5. Conspiracy, Anthony Summers, McGraw Hill, 1980, p. 117.
6. Accessories After the Fact, Sylvia Meagher, Bobbs-Merrill Company, Inc., 1967, p. 256.
7. WCH, Vol. III, p. 327.
8. WCH, Vol. III, p. 336.
9. WCH, Vol. III, p. 333.
10. WCH, Vol. III, p. 334.
11. WCH, Vol. III, p. 327.
12. WCH, Vol. III, p. 343.
13. WCH, Vol. VI, p. 461.
14. WCH, Vol. VI, p. 452.
15. WCH, Vol. VI, p. 451.
16. Report by Bardwell D. Odum, FBI, FD-302 (Rev., 3-3-59); Nov. 23, 1963.
17. Rush To Judgment, Mark Lane, Holt, Rinehart & Winston, 1966, pp. 179-80.
18. Accessories After the Fact, p. 256.
19. WCH, Vol. III, p. 311.
20. Rush To Judgment, p. 180.
21. Markham Exhibit #1; WCH Volume XX, pp. 586-

- 88.
22. Markham Exhibit #1; WCH Volume XX, p. 588.
23. Rush To Judgment, p. 186; Accessories After the Fact, p. 256.
24. WCH Vol. XX, pp. 583-4.
25. Reasonable Doubt, Henry Hurt, Holt, Rinehart & Winston, 1985, p. 148.
26. See "The Death of Officer J.D. Tippit: Was Tippit Shot Once or Twice in the Head?" by Frank J. Sarna III, The Fourth Decade, Vol. 3 #5, July 1996, pp. 18-21.
27. Accessories After the Fact, p. 256.
28. WCH, Vol. III, p. 317.
29. WCH, Vol. III, p. 317; Also report by Bardwell D. Odum, FBI, FD (3-2-2-59), Nov. 23, 1963.
30. A & E Home Video, Cat. No. #AAE-21204, Copyright, 1989, 1992 Central Television Enterprises; Arts & Entertainment Network, HEARST/ABCNBC.
31. Six Seconds in Dallas, Josiah Thompson, 1967, Bernard Geis Associates, pp. 82-3, 112.
32. On the Trail of the Assassins by Jim Garrison, Sheridan Square Press, 1988, pp. 216-218. Also, Reasonable Doubt by Henry Hurt, Holt, Rinehart & Winston, 1985, pp. 113-16. Readers should note that Mercer places Oswald alongside Ruby in Reasonable Doubt. This Oswald connection is apparently omitted by Garrison in On the Trail of the Assassins.
33. Forgive My Grief, Vol. III, Penn Jones Jr., Library of Congress Catalog Card Number: 66-22345, pp. 33-5.
34. Summers, Conspiracy, pp. 107-8.
35. Warren Commission Report, WCR, pp. 6, 653-4.
36. Oswald: Assassin or Fallguy, Joachim Joesten, Marzani & Munsell Publishers, Inc., pp. 104-5.
37. Hurt, Reasonable Doubt, pp. 155-56. Also, for further questions about the correlation between Oswald's pistol, the ammunition, see pp. 152-55.
38. WCH, Vol. III, p. 327.
39. WCH, Vol. VII, pp. 2-4.
40. Joesten, Oswald: Assassin or Fallguy, p. 116.
41. WCH, Vol. XX, Kantor Exhibit No. 3, p. 366.
42. WCH, Vol. VII, p. 4.
43. Warren Commission Report, p. 745.
44. WCH, Vol. VII, pp. 9, 13, 14-17.
45. Joesten, Oswald: Assassin or Fallguy, p. 116.
46. WCH, Vol. VII, pp. 10-11, 14.
47. WCH, Vol. VII, pp. 4,5.
48. WCH, Vol. VII, p. 11.
49. I talked to "J. Harris" by phone. He said he did not want to give out his first name but that the first initial would be sufficient for assassination investigators. Harris would not allow me to tape his statements. Nor did he furnish me with tapes or interview notes. Even though I have no written or taped evidence of his work, I use his statements as a supplement to information that Leo Sauvage developed about Julia Postal.
50. The Oswald Affair by Leo Sauvage, The World Publishing Company, Cleveland, Ohio, 1966, pp. 100-101.
51. Most of the information in this and the next two paragraphs comes from Jim Marrs' book Crossfire, Carroll & Graf Publishers, Inc., New York, 1989, p. 353. But Marrs gave me some supplementary information during a talk at the 1994 COPA conference and during a phone talk in October, 1996. Statements attributed to Burroughs about Julia Postal are not in the book.
52. WCH, Vol. XIX, CE #5323, p. 524.
53. WCH, Vol. II, pp. 49-50.
54. "Tenth and Patton" by William Weston, pp. 29-30, The Fourth Decade, Vol. 4 #1, November, 1996.
55. WCH, Vol. I, p. 330.
56. Marrs, Crossfire, p. 354.
57. Marrs, Crossfire, p. 354.
58. WCH, Vol. VII, pp. 3,14.
59. See Meagher, Accessories After the Fact, pp. 274-80.
60. Sauvage, The Oswald Affair, p. 78.
61. WCH, Vol. III, p. 344.
62. WCH, Vol. VI, p. 455.
63. WCH, Vol. III, p. 350.
64. Assignment Oswald by James P. Hosty, Jr., Arcade Publishing, Inc., New York (Dist. by Little Brown and Company), copyright, 1996, p. 26.
65. WCH, Vol. IV, p. 212.
66. WCH, Vol. IV, p. 176.
67. WCH, Vol. IV, p. 175.

## A LEAGUE OF THEIR OWN: A LOOK INSIDE THE CHRISTIAN DEFENSE LEAGUE

by  
*D. Boylan*

The heating up of the Cold War, the Supreme Court's decision to end segregation in 1954, and the establishment of a Communist Cuba in 1959 led to an unparalleled growth of extremist organizations from the John Birch Society on the right to the Fair Play for Cuba Committee on the left. One of the lesser known but more influential right wing fringe organizations that formed during this period was the Christian Defense League (CDL). The CDL managed to meld anti-communism, anti-Semitism, anti-Castro activities, and a hatred of the "liberal" policies of the Kennedy Administration into a cohesive whole. It is in this context that the CDL will be examined.

The driving forces behind the rise of the CDL were Reverend Wesley A. Swift and Colonel William Potter Gale. It seemed inevitable that they would gravitate towards each other. Their religious beliefs were similar: both were adherents of what is now called Christian Identity, an updated version of the earlier British Israelite Movement. Christian Identity adherents believe that those of Celtic, Anglo-Saxon, Nordic, or Aryan origin were the true Israelites, "the sons of Adam", and that those of Jewish origin were "the sons of Satan." [1]

The origin of the Christian Defense League is somewhat clouded. Some accounts credit its founding to the Reverend Swift [2], while Colonel Gale gives credit to Reverend San Jacinto Capt. [3] Capt, a Baptist minister, was one of the early pioneers in the Identity Movement. [4] Gale says that "the idea of the Christian Defense League was entirely that of Reverend San Jacinto Capt. He proposed it to me [Col. Gale] who prepared the initial material in the form of a letter entitled, "The NAACP represents the negro; the ADL represents the Jews; who represents YOU—the white Christian?" [5]

Gale, again speaking in the third person, claims, "...others were brought to Dr. Swift's [Identity Churches] by Colonel Gale, it was decided that the time was appropriate for reactivation of the Christian Defense

League (CDL), which had been in 'limbo' these past years." [6] In early 1964 the CDL was officially incorporated with Richard G. Butler as President; attorney Bertrand L. Comparet, Vice President; Steve Foote, Western Regional Director; and Rear Admiral, USN (Ret) John G. Crommelin, Eastern Regional Director. [7]

Swift began as a "Ku Klux Klan organizer and Klan rifle-team instructor." [8] In 1946, Swift formed the Church of Jesus Christ-Christian whose fundamental ideology was that Jesus Christ was not Jewish but Christian and that "pure blooded whites are the lost children of Israel." [9] By 1953 Swift had become Reverend Gerald L.K. Smith's West Coast representative of the Christian Nationalist Crusade. [10] Smith, a former member of William Pelley's Silver Shirts and friend of Henry Ford, was a "godfather" to many on the far right. By the early 1960's, Swift's string of "Identity" churches spread throughout California.

In contrast to the somewhat uneducated Swift was the more impressive William Potter Gale. Under General MacArthur, Gale became the youngest Lt. Col. in the U.S. Army where he trained Filipino guerillas to fight the Japanese. After retiring from the Army in June of 1950, Gale, like many retired military officers, found employment in the aircraft industry, specifically Hughes Aircraft. This became what he described as his "Jekyll and Hyde" period; leading the Hollywood life by entertaining actors and singers but hiding his growing involvement in the Identity movement. At this same time, he became a member of the Republican Party and later the Constitution Party. He ran for Governor of California on the Constitution Party ticket in 1958 and 1966, and the Republican ticket in 1962.

Gale's association with Wesley Swift came about through San Jacinto Capt. Capt, a former Klansman like Swift, introduced Swift to Gale after a meeting in Los Angeles in the early 1960s. Gale in turn introduced Richard Butler to Swift, initiating their long term relationship. Butler is the founder and current leader of Aryan Nations.

William Gale managed to land the CDL a financial "angel" in the person of James Oviatt. [11] Oviatt donated money and office space at 617 S. Olive St. in Los Angeles for the CDL headquarters. It was Gale's

success that eventually brought about the demise of the CDL. Swift claimed that the financial success of CDL was hurting his church offerings. Gale and Capt agreed to take a backseat to Butler, Comparet, Crommelin and Foote in order to avoid a battle with Swift.

Swift's church was represented on the East Coast by the Reverend Oren Potito. Potito, a one-time organizer for the National States Rights Party (NSRP), was the 1962 campaign manager for Admiral John Crommelin. [12] Potito joined with other members of the NSRP (and apparently William Gale) in journeying to Oxford, Mississippi to protest against the enrollment of James Meredith. Potito was arrested for possession of firearms that were found in the trunk of his car. [13]

One of Swift and Gale's more notorious associates was Charles Conley "Connie" Lynch. Lynch was simultaneously a minister in the Church of Jesus Christ-Christian, state organizer for the NSRP, a member of the Minutemen, and a member of the CDL. He became one of Swift's first ministers after he left the church of the General Assembly of Jesus Christ where he cut his teeth as a self-taught minister. Lynch became politically active during the early 1960's when he became the California state organizer for the NSRP (1962) and a member of the CDL in fall of 1963. The FBI considered him sufficiently dangerous that they conducted an investigation to determine his whereabouts on November 22, 1963. It was determined that Lynch was in "Jacksonville, Florida, speaking at Ku Klux Klan rallies during the last two months." [14] His extremism became too much for even the NSRP. Dr. Edward Fields, NSRP information director said, "He raised more money than any other man we had. But he was too extreme. He scared away the more substantial elements of the community." [15]

Lynch's notoriety reached its peak in June of 1964 when he joined local Klansmen and NSRP leader J.B. Stoner [16] in what has been termed St. Augustine's [Fla.] worst racial violence in a century. Lynch was arrested the following month along with J.B. Stoner, Barton Griffin, Bill Coleman, and Jacksonville Klan leader Paul Cochran for illegal cross burning. [17]

The paramilitary side of the CDL/CJCC was the California Rangers. Formed in 1959 by William Gale, it never grew as large as its more well-known cousin, the

Minutemen. Robert DePugh, founder of the Minutemen, knew William Gale and structured his organization after Gale's Rangers. [18] The purpose of the Rangers was to build an underground network to conduct guerilla warfare. Gale's recruiting efforts were directed toward former military servicemen. He transferred his American Legion membership to the Signal Hill post where he converted the post into a front for the Rangers. [19]

The first indication that the Swift/Gale complex was interested in more than preaching religion came from George Harding in April 1963 when he informed the FBI that he was being recruited to become part of an eight man team to assassinate three hundred public officials in high positions of government. According to WCD 39 and WCD 1107 "Harding claimed that the leaders in the group were Dr. Wesley Swift, James Shoup and others...The second in command was a Colonel William Gale...who was supposed to have been the youngest intelligence officer under MCARTHUR(sic)."

Another report was generated by the Secret Service and FBI in August, 1963 by the arrest of George King, Jr. King was heard discussing the possibility of assassinating the President and was later arrested that month for the sale of illegal firearms. FBI field report CO2-26104 #6419 stated that "King is extreme right wing, hates Jews, was arrested by ATF O'Neil for illegal possession of firearms. Emotionally unstable. Arrested 2-29-68 again. This time for CCU, John Bircher, Christian Def. League(sic), Am Nazi Party, Christian Defense League." [20]

There was yet another pre-assassination report (November 15, 1963) of a plot to assassinate "the President and other high-level officials" by a "militant group of the National States Rights Party." [21] The report was dismissed by the FBI because they felt the subject was trying to make a deal because of pending criminal charges. This was not the well-documented November 9, 1963 report of Joseph A. Milteer's accurate prediction that Kennedy would be shot "from an office building with a high powered rifle." Milteer, coincidentally or not, was a member of the NSRP and ran for governor of Georgia on the Constitution Party ticket the same year that William Gale switched from the Consti-

tution Party to the Republican Party to run for governor of California. It appears that Milteer, Gale, and Swift knew many of the same people.

The Garrison investigation also produced a wealth of information about the same California anti-JFK crowd. Gerry Patrick Hemming, who got to know many people in his efforts to fight Castro in the 1960's, stopped by to visit Garrison's office on July 7, 1967. He gave Garrison a list of names "as being of possible interest to [Garrison's] investigation." The first was Dennis Harber "who was connected to both [Loran] Hall and [Lawrence] Howard in Miami in an attempt to blow up ships in Vera Cruz. Apparently a 'Mexican Minuteman', tutor to someone, a homosexual, and recently visited Nebraska." The second was Colonel Gale. Described as "active in the local Minutemen army in Southern California. Has offices in downtown Los Angeles. Friendly with General Walker and Lincoln Rockwell and stayed at Walker's house in July 1963. Patrick mentioned a Eugene Lyons in connection with Colonel Gale, and that one BOB WELLS is also associated with Gale." [22] Rockwell, the founder of the American Nazi Party, was assassinated in 1967 by former party member John Patler. Longtime researcher Mary Ferrell noted that Rockwell's name and address is contained in Lee Harvey Oswald's address book. Eugene Lyons headed the American Committee to Free Cuba (ACFC). There was an overlap of membership between the CDL and the ACFC. Steven Foote, Western Regional Director of the CDL, was a board member of the ACFC. Curiously enough, so was Dr. John Lechner. Lechner, founder of the Americanism Educational League, is listed in Richard Case Nagell's notebook. [23]

Also of interest to Garrison was G. Clinton Wheat of Los Angeles. Wheat has been identified as an ex-Klansman who hosted meetings at his house of the Church of Jesus Christ-Christian, the Christian Defense League and the American Nazi Party. [24] An FBI informant described the speakers at Wheat's house as giving "classic examples of the hate-mongers sermons." He also goes on to describe William Gale as saying "...I can show you top-secret documents that prove that the six million Jews Hitler was supposed to kill are right here in America..." Garrison had information that in

September of 1963, Wheat had meetings at his house where discussions were held on assassinating the President. Wheat disappeared shortly after Garrison subpoenaed him. He was reported to be hiding out at Fred Lee Crisman's ranch in Oregon [25] before moving to Burney, California from where he disappeared altogether. [26]

Two figures who were investigated by the Warren Commission, District Attorney James Garrison, and the House Select Committee on Assassinations also had ties to Wheat, Gale, Swift, and Butler. They are Loran Hall and Lawrence Howard. Howard told Steve Burton, investigator for Garrison, that Richard Butler introduced him and Steve Justin Wilson to Gale and Swift after a meeting in which Wesley Swift spoke. [27] Butler also introduced Howard to Hall in the Spring of 1963. [28]

It was at Clint Wheat's house that Hall, Howard, and "Juarito" a.k.a. Celio Castro Alba, picked up a trailer of weapons to bring to Miami for anti-Castro activities. According to Howard, the weapons consisted of a ".30 caliber, there was a scope weapon, [29] and there was M-1s, standard M-1 Girands an M-14, modified, strictly semi..." [30] Some of these weapons were supplied by Erquiaga Arms Company owned by Juan Erquiaga, the former top arms ordinance man for Fidel Castro. The trailer carrying these weapons was left at Lester Logue's house in Dallas on October 10, 1963. Logue, an oil geologist, was a friend of Hall's. Hall and William Seymour traveled from Miami the following week to retrieve the trailer of weapons and medical supplies. It was on this return trip that Hall and Seymour were arrested for drug possession—a bottle of Dexedrine. Hall remained in jail for two days before being released. Hall had called Dr. Robert Morris who in turn called Lester Logue. [31] Logue secured an attorney for Hall. [32]

A close look at Hall and Howard's associates explains why the various investigations took such an interest in them. Hall testified to receiving money from Mafioso Sam Giancana (\$20,000-30,000), went on a mission with Rip Robertson, just missed going on the Bayo-Pawley raid on Cuba, went with Rip Robertson to Al [John] Martino's house in Miami, visited General Edwin Walker with Gerry Hemming, admitted to hav-

ing heard of Lee Oswald in June of 1963 and testified that he was offered \$50,000 to kill Kennedy but that he declined the offer. [33]

Howard's associations are just as interesting as Hall's. Howard was second in command to Gerry Hemming at No Name Key before assuming full command with William Seymour as his second. Howard, Seymour and friends, along with fifty of Rolando Masferrer's men from New York, spent the summer of 1963 preparing to overthrow "Papa Doc" Duvalier in Haiti. [34]

Some of the people that Howard claimed to know and whose names appeared in his address book were: Pedro Diaz Lanz; Frank Fiorini [Sturgis]; Frank Fernandez of Dallas; oilman Lester Logue; Clint Wheat; William Gale; Larry Laborde; Enrique Molina who Hemming and Howard claimed was a Castro agent; Alexander Rorke; Richard Butler; the Masferrer brothers; Robert Brown, Dr. Grennan [Stanley Drennan] [35]; Eddie Field, "right winger" (possibly Edward Fields, co-founder of the NSRP with J.B. Stoner); Roy Hargraves; Nico Crespi; Dr. Robert Morris whom he was very reluctant to admit knowing; Tony Varona who thought Howard was double-crossing him because of Howard's relationship with Rolando Masferrer; Renee Valdez of Alpha 66; and Edgar Eugene Bradley whom he described as "a man who believed in action." [36] Bradley was described by Carol Aydelotte as an associate of Col. William Gale and that she was certain that she saw him at Clint Wheat's house with Loran Hall and Gordon Novel. [37]

The CDL became "inactive" again sometime in late 1964 or early 1965 when Gale and Swift had a "parting of the ways." Gale told his biographer Cheri Seymour that Swift "took some money from some widows...two elderly ladies. That's the official version. Nothing to do with the Church." [38]

After the split, Gale put all his efforts into his ministry. He began publishing a magazine called "Racial and National Identity" [39] in 1965 at the request of "a bunch of military officers...Colonel Ben Von Stahl, Admiral Crommelin and General Pedro Del Valle." He continued to be active in the Identity Movement by forming his own group called the Ministry of Christ Church. In 1969-70 he joined forces with former Silver Shirt Henry Beach to launch the Posse Comitatus

movement. [40] Colonel Gale died in April, 1988 of complications brought about by emphysema.

Wesley Swift died in 1970 leaving Richard G. Butler to lead the Church of Jesus Christ-Christian. Butler moved the headquarters to Hayden Lake, Idaho and renamed the organization to Aryan Nations-Church of Jesus Christ, Christian. Butler, although now is in his 70s, is still a leading figure in the Identity Movement.

The Christian Defense League was reformed by James K. Warner in the early 1970s. Warner is a former member of Rockwell's American Nazi Party, the National States Rights Party, Sons of Liberty, and current publisher of Christian Vanguard. He moved from California to Metairie, Louisiana in the middle 1970's after he met David Duke who was then a member of the Klan. Duke became a presidential candidate in 1988. The CDL is no longer the force it was in the early 1960s although its influence can still be seen in today's extreme right wing movement.

\*I'd like to thank Larry Haapanen, Anna Marie Kuhns-Walko and Joe Backes for their help.

#### Notes

1. Identity, "Children of God vs. Children of Satan", June 1973, p. 3.
2. Michael and Judy Newton, The Ku Klux Klan, p. 109 (Garland Publications, New York, 1991).
3. Identity, "A Reply to the National Chronicle", November 1975, p. 5.
4. Cheri Seymour, Committee of the States: Inside the Radical Right, (Mariposa, CA: Camden Communications 1991) p. 87. Most of Gale's history has been derived from this book.
5. Identity, November, 1975, p. 5.
6. Identity, November, 1975, p. 5.
7. Shasta County Chronicle, vol. 13 no. 10, April 9, 1964. This paper would soon change its name to the National Chronicle. The editor, Hal Hunt, followed Richard Butler up to Hayden Lake, Idaho where it continued publication.
8. William Turner, Power on the Right (Ramparts Press, Berkeley, CA 1971) p. 100.
9. Newton, p. 113.
10. Newton, p. 167.
11. Newton, p. 167.
12. Turner, p. 101.

13. Seymour, p. 68.
14. WCD 1107. According to WCD 42, the information on Lynch's whereabouts was furnished by Gene Fallow, officer of the Ku Klux Klan, Oceanway, Florida. Documents courtesy of Larry Haapanen.
15. Trevor Armbrister, Saturday Evening Post, "Portrait of an Extremist", August 22, 1964.
16. See Jerry Rose's article on Stoner, The Fourth Decade, 3 #1 November 1995, p. 26.
17. Saturday Evening Post.
18. John George and Laird Wilcox, Nazis, Communists, Klansmen and Others on the Fringe. (Prometheus Books, Buffalo, NY 1992).
19. Thomas C. Lynch, 1965 California Attorney General's Report on Private Armies in California.
20. This is extracted from RIF 180-10118-10033. This document courtesy of Joe Backes.
21. Warren Commission Document 762.
22. HSCA 002176, RIF 180-10105-10097.
23. Dick Russell, The Man Who Knew Too Much, (Carroll & Graf Publishers, Inc. 1992).
24. Letter from Warman to Garrison, May 10, 1968. This document was obtained from the AARC.
25. Ed Jeffords to James Alcock, July 18, 1968 (AARC).
26. "Klamath Falls Herald and News", May 5, 1968. The article describes Wheat as a "former Klamath County resident wanted for questioning by New Orleans authorities in connection with alleged Kennedy assassination probes, failed to show for a Shasta County, California Superior Court hearing this morning...Wheat was last seen in Klamath County when he moved from a residence in Poe Valley May 6. The building burned to the ground that night." Coincidentally, when the FBI questioned Harold Doyle, one of the newly identified "tramps", he was found in Klamath Falls, Oregon.
27. Memo from Burton to Garrison, May 8, 1968.
28. HSCA 006058. RIF 180-10085-10191.
29. This was Gerry Hemming's rifle that was hocked by Hemming and taken out of hock by Hall. The check was issued by the American Committee to Free Cuba. For a complete account of this see Hathcock's interview: HSCA 001041 RIF 180-10086-10375.
30. Howard interview by Garrison. HSCA 008269 (pt. 9) RIF 180-10076-10015. This was copied by Anna Marie Kuhns-Walko at the National Archives, June 1994 and has since been withdrawn.
31. Morris is the former Chief Counsel for the Senate Internal Security Subcommittee, lawyer for General Edwin Walker, and the force behind Larrie Schmidt's attempt to take over Young Americans for Freedom and General Walker's organization.
32. HSCA 014660, RIF 180-10117-10026 p. 97. This was Hall's HSCA testimony.
33. HSCA 014660, RIF 180-10117-10026 p. 97.
34. HSCA 008269 (pt. 9) RIF 180-10076-10015.
35. CDL President Bertrand Comparet represented Dr. Stanley Drennan in his efforts to fight Garrison's extradition efforts. The judge ruled in favor of Drennan.
36. HSCA 006058 RIF 180-10085-10197.
37. Memo from Boxley to Garrison, March 19, 1968. Aydelotte had a falling out with Bradley after he allegedly got her kicked out of the John Birch Society. This may have been her way of getting back at him. For a full description of this incident, see Peter Noyes' Legacy of Doubt.
38. The split seemed to include Gale, Edgar Eugene Bradley, and Dr. Stanley Drennan as one faction and Swift, Butler and Mower as the other. William Turner also noted this in Power of the Right.
39. Gale claimed that he was the originator of the term Identity. In fact, Rev. John Lovell of Dallas, Texas, another member of the British Israelite Movement, used this term in the February 1957 Newsletter of Kingdom Digest.
40. Newton, p. 220.

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## FROM HOUSTON STREET TO THE OVERPASS

by

M.A. Moyer and R.F. Gallagher

On March 29, 1979, The Select Committee on Assassinations submitted their findings on the assassination of President John F. Kennedy in Dallas, Texas, November 22, 1963. The Select Committee concluded, as did the Warren Commission, that—

(1) Lee Harvey Oswald fired three shots at President John F. Kennedy. The second and the third shots he fired struck the President. The third shot he fired killed the President.

(2) President Kennedy was struck by two rifle shots fired from behind him. [1] The Select Committee also concluded, unlike the Warren Commission, that the President was probably assassinated as the result of a conspiracy and that "scientific evidence does not preclude the possibility of two gunmen firing at the President." [2]

The skepticism was the result of the Abraham Zapruder film showing the moment of the fatal head wound. In the film, the President's head is apparently thrown backward as the front side of the skull appears to explode, suggesting to critics of the Warren Commission's findings that the President was struck by a bullet that entered the front of the head. Such a bullet, it has been argued, was fired by a gunman positioned on the grassy knoll, a park-like area to the right and to the front of the moving limousine. These critics of the Warren Commission have reason to believe that shots originated from the vicinity of the grassy knoll since several witnesses, who were present on that day in November, indicated that at least one shot came from the knoll area.

It would be senseless to argue that there was not an explosive "report" from the knoll, and a careful analyses

of the testimonies clearly indicates that it was the first "report" of three such sounds, but it was not necessarily a shot from a rifle. No one saw a rifle being fired from that area. However, they did report seeing and smelling smoke. If a shot was fired from the knoll, we believe the bullet missed everything in Dealey Plaza.

If the truth is ever discovered, it seems reasonable to be told that the killing was the result of a conspiracy and that the first "shot" was a diversion exploded behind the fence, on the knoll, to draw attention away from the shooter, who fired two shots at the motorcade, both hitting their mark. That first "report" provided a reason for the extra cartridge case found in the area near the sixth floor window. It also provided the Commission with the sound necessary to account for the "magic-bullet" found on the stretcher at Parkland Hospital connecting the shooting to C-2766, Oswald's alleged rifle.

Quoting from the Warren Report concerning the number of shots that were fired in Dealey Plaza at 12:30 p.m. on November 22, 1963: [3]

*"The consensus among the witnesses at the scene was that three shots were fired. However, some heard only two shots. The most convincing evidence relating to the number of shots was provided by the presence on the sixth floor of three spent cartridges. This led the Commission to conclude that there were three shots..."*

If one examines the Commission's conclusion closely, they will find that they do not insist that three shots were fired from the rifle on the sixth floor. Quoting from the Report:

*"The physical and other evidence examined by the Commission compels the conclusion that at least two shots were fired...It is possible that the assassin carried an empty shell in the rifle and fired only two shots with the witnesses hearing multiple noises made by the same shot." [4] (underline by authors)*

Yet, in the end, the Commission decided that "two bullets probably caused all the wounds suffered by President Kennedy and Governor Connally", and, "since the preponderance of the evidence indicated that three shots were fired, the Commission concluded that one shot probably missed the Presidential limousine and its

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occupants, and that the three shots were fired in a time period ranging from approximately 4.8 to in excess of 7 seconds." [5]

**THE SHOT THAT MISSED?** From the Warren Report: [6]

*Some support for the contention that the first shot missed is found in the statement of Secret Service Agent Glen A. Bennett, stationed in the right rear seat of the President's follow-up car, who heard a sound like a firecracker as the motorcade proceeded down Elm Street. At that moment, Agent Bennett stated:*

*"...I looked at the back of the President. I heard another firecracker noise and saw that shot hit the President about four inches down from the right shoulder. A second shot followed immediately and hit the right rear high of the President's head."*

*Substantial weight may be given Bennett's observation. Although his formal statement was dated November 23, 1963, his notes indicated that he recorded what he saw and heard at 5:30 p.m., November 22, 1963, on the airplane enroute back to Washington, prior to the autopsy, when it was not yet known that the President had been hit in the back.*

Was the first "firecracker noise" that Bennett heard a diversion "report" from the grassy knoll?

Again from the Report: [7]

*Governor Connally's testimony supports the view that the first shot missed, because he stated that he heard a shot, turned slightly to his right and, as he started to turn back toward his left, was struck by the second bullet. He never saw the President during the shooting sequence, and it is entirely possible that he heard the missed shot and that both men were struck by the second bullet.*

Did the Governor hear what others heard, a "report" from among the trees, the diversionary explosion?

**CONTROVERSIAL HEAD WOUND.** Eminent forensic pathologist Dr. Cyril Wecht, the most vocal medical critic of the Warren Commission, offered his views on the Kennedy assassination in a book, Cause of Death. In his book, Doctor Wecht explains that he came to believe that the "single-bullet" theory was "scientifically

absurd" after examining the Zapruder film and comparing it to the Warren Commission's findings. [8]

Dr. Wecht argues that Kennedy and Connally were struck by two different bullets; Kennedy being hit first in the back and Connally, also hit in the back, 1.5 seconds later. Wecht says that Connally heard the first shot, which he believed hit the President, and that he himself was hit with the second shot. [9] In Cause of Death, Wecht quotes Connally as saying, "We heard a shot. I turned and looked into the back seat and the President was slumped. He had been hit." According to Wecht, Connally made this statement to reporters in December of 1963, in his first public statement about what happened on November 22. [10] Wecht does not provide source notes and we have been unable to locate such a statement by Connally.

This is a very important claim made by Wecht because, if true, the "single bullet" theory is absurd, as Wecht claims and there was more than one shooter. If Connally did not see the President wounded then the Commission's position is supportable.

When Connally testified before the Warren Commission, he told Arlen Specter that he did not, at any time, see the President during the shooting sequence. From Connally's testimony: [11]

**MR. SPECTER:** *Did you observe any reaction by President Kennedy after the shooting?*

**CONNALLY:** *No, I did not see him.*

**MR. SPECTER:** *Did you observe any reaction by Mrs. Kennedy after the shooting?*

**CONNALLY:** *I did not see her. This almost sounds incredible, I am sure, since we were in the car with them. But again I will repeat very briefly when what I believe to be the shot first occurred, I turned to my right, which was away from both of them, of course, and looked out and could see neither, and then as I was turning to look into the back seat where I could have seen both of them, I was hit, so I never saw either of them after the firing started, and, of course, as I have testified, then Mrs. Connally pulled me into her lap and I was facing forward with my head slightly turned up to where I could see the driver and Roy Kellerman on his right, but I could not see into the back seat, so I didn't see either one*

of them.

Wecht also says: [12]

*...in frame 230 of the Zapruder film, Governor Connally's right wrist and hand are clearly visible. Each finger is easily identifiable as he holds his large white Stetson hat. However, the Warren Commission's reconstruction of the events states that more than a second before this frame, the Magic bullet had already shattered his wrist and severed a branch of the radial nerve. Using basic laws of physics, one can calculate the considerable amount of force imparted on the wrist by this bullet. Yet, in the film, he sits there with absolutely no evidence of pain on his face and with his hand firmly gripping his hat, clearly visible to the spectators who lined the streets.*

What did Connally have to say about the wrist injury and the evidence of pain? From his testimony: [13]

MR. SPECTER: Were you conscious of receiving that wound on the wrist at the time you sustained it?

CONNALLY: No, sir; I was not.

MR. SPECTER: When did you first know you were wounded in the right wrist?

CONNALLY: When I came to in the hospital on Saturday, the next morning, and I looked up and my arm was tied up in a hospital bed, and I said, "What is wrong with my arm?" And they told me that I had a shattered wrist, and that is when I also found out I had a wound in my thigh.

MR. SPECTER: Were you conscious that you had been wounded on the left thigh at the time it occurred?

CONNALLY: No...

MR. SPECTER: In your view, which bullet caused the injury to your chest Governor Connally?

CONNALLY: The second one.

Wecht, along with many others, argue that one bullet did not hit both Kennedy and Connally, but there is overwhelming evidence that is exactly what happened.

What blinds these disbelievers is the claim, by the Commission, that this bullet that did all this physical damage to both men eventually became CE 399, that "magic bullet" found later at Parkland Hospital. It is far more realistic to believe the bullet fragments found in

the car were responsible for the wounds of both men and CE 399 was an obvious plant.

The Report of the President's Commission—the Warren Report—issued at the end of September, 1964, is a dishonest presentation of conclusions reached by the Commissioners after analyzing the testimony and evidence upon which the Warren Report was predicated. There is no correlation between the 888 page Report and the Hearings/Exhibits of the 26 volumes issued at the end of November, 1964, but the single bullet theory has held up. On the other hand, those who argue against it have wavered in their own theories about the source of the shots as well as the number of shots fired at the motorcade.

Take for an example, Dr. Wecht (who had viewed the Life copy of the Zapruder film in 1966 and the Archives physical evidence in August of 1972) expressing his views in a 1972 article in Modern Medicine, that he believed that there was a second gunman firing from the rear, but not necessarily from the Texas School Book Depository. He also felt there might have been shots from front and right, the grassy knoll area. [14]

In a 1974 issue of Forensic Science, Dr. Wecht believed that Governor Connally had been hit with a bullet fired from a high floor, possibly from a roof top, and Kennedy had been hit with a shot from a low or intermediate floor. [15] (There was no mention of grassy knoll.)

In 1975, Dr. Wecht issued a press release saying that he never advocated that Kennedy or Connally were shot from any forward location. He said, "I see no evidence for gunman in front of the President." [16]

And in 1994, in Dr. Wecht's book Cause of Death, he has returned to a second gunman—Wecht says, "There had to be a second gunman shooting from the grassy knoll area. The physical and medical evidence demands it. And so does the testimony of dozens of witnesses." [17]

**"AND SO DOES THE TESTIMONY OF DOZENS OF WITNESSES".** Wecht was correct with this statement. To deny that there was an explosive report from behind the picket fence on the grassy knoll is to deny the entire event. There absolutely was what appeared to be a shot and, from testimony, it would have been the first of what has been described as a total of three shots. But

were there three shots, or was the first "report" a shot from a gun, or was it a firecracker as was described by most witnesses?

Even Allen Dulles was aware of the witness testimony about the sound of the first shot. During Governor Connally's testimony Dulles told the Governor: "You and one other happen to be the only witnesses who have indicated that they recognized it as being a rifle shot. The other witness, like you, was a huntsman. Most of the witnesses have indicated they thought it was a backfire; the first shot was a backfire or a firecracker". [18] Clinton J. Hill, Secret Service Agent described it in reverse. He said that the second and third shots sounded alike. He said, "It had a different sound...than the first sound I heard." [19]

Other testimony from the Warren Report: [20]

*Mrs. John Kennedy, on the left of the rear seat of the limousine looked toward her left and waved to the crowds along the route. Soon after the motorcade turned on to Elm St., she heard a sound similar to a motorcycle noise and a cry from Governor Connally, which caused her to look to her right. On turning she saw a quizzical look on her husband's face as he raised his left hand to his throat. Mrs. Kennedy then heard a second shot and saw the President's skull torn open under the impact of the bullet.*

*Apparently Mrs. Kennedy did not hear the explosion on the grassy knoll. It was the cry from Governor Connally, who was hit, that caused her to turn to her right and see her husband raise his hand to his throat. Both men, obviously, had been hit by the same bullet despite claims made otherwise.*

*"THE RIFLE BULLETS" In addition to the three cartridge cases found in the Texas School Book Depository building, a nearly whole bullet was found on Governor Connally's stretcher and two bullet fragments were found in the front of the President's car. The stretcher bullet weighed 158.6 grains, or several grains less than the average Western Cartridge Co. 6.5 millimeter Mannlicher-Carcano bullet. It was slightly flattened, but otherwise un mutilated. The two bullet fragments weighed 44.6 and 21.0 grains, respectively. The heavier fragment was a portion*

*of a bullet's nose area, as shown by its rounded contour and the character the markings it bore. The lighter fragment consisted of a bullet's base portion, as shown by its shape and by the presence of a cannellure. The two fragments were both mutilated, and it was not possible to determine from the fragments themselves whether they comprised the base and nose of one bullet or of two separate bullets. However, each had sufficient un mutilated area to provide the basis of an identification. Based on a comparison with test bullets fired from the C2766 rifle, the stretcher and both bullet fragments were identified as having been fired from the C2766 rifle." [21] (Underlining by authors)*

The above was the conclusion of the Warren Commission based on expert FBI testimony. [22] It clearly lacked reasonable intelligence and logic demonstrated by those in charge. The conclusion by the members of the panel was that three shots were fired; one shot missed completely; one shot hit Kennedy and Connally; and the final shot hit the President in the head. Using elementary reasoning: if the bullet that hit Kennedy and Connally was the near pristine bullet found on the stretcher at Parkland, and one shot missed the car completely, how could anyone possibly conclude that the two fragments found in the car came from two different bullets? If one bullet missed the car, one was found complete (with nose and base at Parkland), and the final bullet struck the President's head, then WE must conclude that the 44.6 and 21.0 grain fragments were of the same projectile and IT was the fatal bullet. Yet, the Warren Commission does not address the subject; neither do the FBI experts. No one knows the truth about the number of shots fired from the Texas Book Building, except the person who fired the rifle.

Since it appeared that the Warren Commission, and its defenders, were guessing, then it is only fair that those who disagree are entitled to speculate as well. IF the two fragments in the car are pieces of the same projectile, it had to be either the bullet that hit Kennedy in the head and broke up in the car, or it was the bullet that went through the President and the Governor, and then broke up in the car.

It is far more probable that the fragments are from the bullet that went through the President and Connally. The angle of the shot, along with the damage done to the Governor's body, plus the location of the fragments in the car, and the condition of the fragments strongly suggest that the bullet was the single Kennedy-Connally bullet. The bullet that hit the President's head, because of the position of the President, at the time of the shot, and the location of the limousine, probably cleared the windshield and was responsible for the mark on the curb and the fragment that hit James Tague on the cheek. There really is no solid evidence of a shot missing the car. It was the sound and the third casing found on the sixth floor that provoked the three-shot-theory. The casing, CE 543 with the bent lip, found on the sixth floor could not have been fired from the Carcano that day. It was planted, along with the pristine CE 399, found at Parkland, as both were necessary to account for the diversion explosion. (The first "report" from the grassy knoll). This theory is far more plausible than the one presented by the Commissioners and their defenders.

The entire case against Lee Harvey Oswald was based on a number: C2766 stamped on the rear-end of a rifle barrel; CE 543 designated evidence number assigned to a damaged casing found on the sixth floor; and CE 399, a near-pristine bullet found at Parkland.

It would appear that the only purpose of CE 543 and CE 399 was to avoid the cry of conspiracy and to implicate "the patsy".

**CE 543.** Of the three cartridge cases found on the sixth floor of the TSBD, only two were turned over to the FBI on the evening of November 22, 1963. The third casing went to the FBI on November 28, after a demand was made to the Dallas police. [23] The two earlier "hulls" were designated by the Commission as CE 544-545. The final casing was CE 543.

CE 543's dented lip was only one of multiple differences that set the cartridge apart. It also had three sets of markings on its base, that were absent on the other two cases, and it lacked the chambering marks of Oswald's rifle.

So, although two of the cases may have been ejected from the Carcano rifle, the third, CE 543, is a fake, an extra unfired casing and WE believe a deliberate plant.

## THE HEAD SHOT

*"The sudden explosive violence with which President Kennedy is slammed back against the rear seat is unmistakable. It is within the realm of speculative possibility that the violent backward thrust of the President was caused by the sudden acceleration of the limousine, as Secret Service Agents Kellerman and Greer, in the front seats made their effort to escape the murder site and obtain medical help at Parkland Hospital. Against this thesis is the fact that Mrs. Kennedy is obviously not thrust back but maintains her position while the President gyrates back, forward, and into her arms." [25]*

The probability is that is exactly what happened, yet many researchers believe he had received a head shot from the front. As to Mrs. Kennedy maintaining her position, it must be remembered that she had not been shot in the back, as he husband had been before Frame 313, and she was in physical control and able to respond to the sudden forward lunge of the automobile. This was not the case with the President. She was also facing the President with her body turned to the North and, undoubtedly, had more foot support on the floor of the automobile.

There was testimony from witnesses [26] (mostly ignored) that will support the acceleration thesis. Although the driver of the President's car does not say that he applied the brakes after the first shot, [27] he probably did. [28] It would be a natural reaction.

The car was traveling at about 12 miles per hour when the first report occurred. [29] At frame 313, [30] the car is almost at a stop and two things happened simultaneously: the final shot hit the President in the head, and, Agent Greer stepped on the gas pedal. The President was already moving forward, after being shot in the back, and if the brakes were applied, and they obviously were, this would amplify the forward movement. At that time, any sudden acceleration would cause a violent backward thrust of the President's immobilized body. Viewing the Zapruder film, with this thesis in mind, it becomes a reasonable scenario.

A number of witnesses testified that, after the first shot, the car veered to the left and came to "almost a stop." The witnesses included Roy Truly, the manager

of the Book Depository: [31]

MR. TRULY: ...*The President's—I saw the President's car swerve to the left and stop somewheres down in this area...*

MR. BELIN: *When you saw the President's car seem to stop, how long did it appear to stop?*

MR. TRULY: *It would be hard to say over a second or two, or something like that. I didn't see—I just saw it stop. I don't know. I didn't see it start up.*

Now, listen to Samuel A. Kinney, Special Agent and driver of SS679-X, the follow-up car:

*"I saw one shot strike the President in the right side of the head. The President then fell towards Mrs. Kennedy. At this time I stepped on the siren and the gas at the same time. Agent Greer driving the President's car did the same." [32] In an earlier statement, Kinney said, "At this time the second shot was fired and I observed hair flying from the right side of his head. With this, simultaneously with the President's car, we stepped on the gas. I released the siren at the same time." (authors underline).*

Kinney also stated that he heard three shots, but did not recall which shots were those that hit the President. [33]

Those that argue that Frame 313 establishes proof of a shot from the front fail to offer an explanation as to why there is no evidence of a projectile exiting the rear of the head in a later frame. We do not believe there was one. This is because a bullet, on entry, could not create the halo of flesh and bone that is seen at the front of the President's head in Frame 313. Only on exit would a bullet cause such destruction, the entry (as seen in the autopsy pictures) [34] would be a small hole, generally slightly larger than the bullet itself.

It was the backward thrust of the President's body that caused the shot-from-the-front advocates to stick to their first impressions. We suggest the testimony of the Secret Service and others, who were present in Dealey Plaza, should be reconsidered.

This is not to say that they were not justified in believing a shot came from the front right. There certainly was an explosive set off behind the fence on the grassy knoll and it was the first sound of the three

reports. We believe this could have been some type of fused explosive, thrown into the trees to create a diversion (which it did) to allow the real assassin to fire two shots (both hitting the President) from the sixth floor of the TSBD and escape while everyone was searching behind the picket fence and in the railroad yards. [35] If the same number of people had converged on the TSBD as scrambled up the grassy knoll, another chapter may well have been written on the outcome of the assassination.

#### POSITION OF PRESIDENT AT TIME OF HEAD SHOT

*On May 23, 1964, agents of the FBI and Secret Service conducted a series of tests to determine as precisely as possible what happened on November 22, 1963. Since the Presidential limousine was being remodeled and was therefore unavailable, it was simulated by using the Secret Service follow-up car, which is similar in design. Any differences were taken into account. Two Bureau agents with approximately the same physical characteristics sat in the car in the same relative positions as President Kennedy and Governor Connally had occupied. The back of the stand-in for the President was marked with chalk at the point where the bullet entered. The Governor's model had on the same coat worn by Governor Connally when he was shot with the hole in the back circled in chalk. [36]*

In order for the FBI and the Secret Service to duplicate the exact conditions that prevailed in Dallas on November 22, 1963, they had to make hundreds of adjustments to the variables that existed between the two cars and the occupants. It was a laudable project, but in reality, a useless one. In addition to these variables, there was the problem of determining the exact location of the limousine at the time of the shots. Despite inexact measurements, the Commission came up with rather exact conclusions that have caused problems for researchers for more than 33 years. These conclusions are based on the theory that the second shot hit Kennedy and Connally and the third shot hit Kennedy in the head. Yet, in their "Report", they avoid such an exact conclusion, even as to the number of shots. [37] Their reenactment was a futile exercise.

Since the Presidential limousine was not available for the reenactment on May 24, 1964, it was simulated by

using the Secret Service car that was the follow-up car in the motorcade on November 22, 1963. The car that was used was a specially built seven passenger convertible Cadillac made by General Motors in 1956. [38]

Stand-ins were provided for the President and Governor Connally and placed in the Secret Service follow-up car in the same approximate positions as the men were on November 22, 1963. James W. Anderton, an FBI Agent, was the stand-in for Kennedy. His height was 72 1/2 inches, the same as the President. The Governor's stand-in was Mr. Doyle Williams, who was 6'4". Governor Connally was 6'2". [39]

Secret Service Agent Kelley provided the following information: [40]

*MR. KELLEY: The officials at Hess Eisenhardt, who have the original plans of the President's car, conducted a test to ascertain how high from the ground a person 72 1/2" would be seated in this car before its modification. And it was ascertained that the person would be 52.78 inches from the ground—that is, taking into consideration the flexion of tires, the flexion of the cushions that were on the car at the time...When Mr. Anderton was placed in the follow-up car, it was found that the top of his head was 62" from the ground. There was an adjustment made so that the would-be - - - the stand-in for Governor Connally would be in relatively the same position, taking into consideration the three inch difference in the jump seat and the three inch difference in his height.*

The Commission was provided with scaled drawings of both cars. In CE 871, the Presidential follow-up car, we see that the length is 20 foot 3 inches, and 6 foot and 7 inches wide. The Presidential car is 21 foot 2 inches long and 6 foot 3 inches wide. The jump seat of the Secret Service car is closer to the right door than the Presidential car. And, although it is not shown in the drawing, the Secret Service car is 10 inches higher than the Lincoln. [41]

Although Governor Connally testified that he believed the rear seat of the President's limousine was raised at the time of the assassination, Inspector Kelley maintained that the seat was in its lowest position on

November 22, 1963. From testimony of Inspector Kelley: [42]

*MR. KELLEY: There is 6 inches of clearance between the jump seat and the door...There is 8 1/2 inches between the back of the jump seat and the front of the back seat of the President's car, the rear seat...The jump seat is 3 inches lower than the back seat of in its bottom position. That is, the back seat of the President's car had a mechanism which would raise it 10 1/2 inches. But at the time of the assassination, the seat was in lowest position.*

According to Governor Connally: [43]

*MR. SPECTER: What was the relative height of the jump seats, Governor, with respect to the seat of the President and Mrs. Kennedy immediately to your rear?*

*CONNALLY: They were somewhat lower. The back seat of that particular Lincoln limousine, which is specially designed and built automobile, as you know, for the President of the United States, has an adjustable back seat. It can be lowered or raised. I would say the back seat was approximately 6 inches higher than the jump seats on which Mrs. Connally and I sat.*

Is this information important? Yes, because those researchers that dispute the "single bullet theory" base their arguments on the two men being at the same height in the car. Their argument is diminished if it can't be established that the President was sitting in a higher position from the ground than the Governor in the jump seat. This was the case, even if Kelley was also correct in claiming that the seat "was in its lowest position". (However, NOT at the time of the fatal shots).

How did Kelley conclude that the seat was in its lowest position? From the testimony: [44]

*MR. DULLES: Could I ask one question in response to your statement that the back seat was in its lowest position at the time of the assassination? How do you know this?*

*MR. KELLEY: That is a result of questioning of the people who took the car, the driver who took the car from the hospital to the plane. This was one of the drivers of the Presidential car. There was*

*nobody who touched the car until it got back to the White House garage. It was in his custody all the time, and he did not move it. When it was at the White House garage, it was at its lowest point.*

*MR. DULLES: And there would be no opportunity to lower it from the time the President was shot?*

*MR. KELLEY: No, sir. The President, of course, operates that thing himself. But when it was examined, at the time it was examined, and it was in the custody of this man all the time, it had not been touched.*

Inspector Kelley was NOT correct in saying that the car was not touched. Photos taken by Cecil Stoughten, official White House photographer who was traveling in the motorcade and was present at Parkland Hospital, show the Secret Service men cleaning the car at the hospital. Stoughten recalls "that a man was washing the seat with a cloth, and he had a bucket. There was blood all over the seat, and flower petals and stuff on the floor." [45]

Samuel A. Kinney, Special Agent, White House detail and driver of the follow-up car SS679X testified: [46]

*MR. KINNEY: After all had been removed from the President's car, I opened the trunk and put on the bubble-top and a canvas cover. This took approximately 20 to 30 minutes.*

Not only was the seat cleaned of much of the blood and brain tissue, but the seat had to be lowered in order to attach the plastic bubble-top and canvas cover (47). The bubble was removed in the White House garage and the car was examined and photographs were taken. At that time, the seat was in its lowest position.

Again referring to Dr. Wecht's book, Cause of Death, he tells of a recent trip he made to Dealey Plaza. As he stared out of the sixth floor window of the TSBD, on the exact spot where Oswald supposedly stood he wondered, like many before him, why Oswald, or whoever fired at the motorcade, did not shoot the President as the motorcade proceeded down Houston Street approaching the Depository Building. Dr. Wecht wondered why he waited until the car traveled so far down Elm Street before shooting the President; it would have been an easier shot. [48] Or, would it? Many hunters, or marksman who shoot at moving targets, would

prefer to shoot at a target moving in a diagonal direction, or at a target moving away from the shooting position.

In our own personal opinion, we believe that a head-on shot would have been a suicide shot for the shooter. It would have indicated desperation and lack of planning, thus a non-conspiracy. In such a shot, the President may have been killed, but the shooter would have been exposed with his first shot and never been able to escape the building. With all of the Secret Service men behind the President's car, with all the motorcycle policemen surrounding the motorcade, with all of the Dallas policemen and Deputy Sheriffs in the area, the building would have been surrounded and sealed off before the shooter could have reached the lower floor to escape the building. That first "report" allowed the marksman time to sight his target and fire two successful shots, then escape the building before anyone suspected the shooting came from the TSBD.

Despite the fact that a number of people actually saw the rifle fire, [49] they were unable to notify the police in time to prevent the escape of the shooter, and the first policeman to suspect the building as the shooting site, Marrion L. Baker, went to the building because he saw pigeons flying from the roof when frightened by the gunfire. [50] It is our opinion that the shooting position was confined to the TSBD but, in the planning, the location within the building had to remain flexible due to the uncertainty of employee movement. In a plan, the first four floors would not be considered because they contained offices where employees were stationary. The fifth, sixth, and seventh floors were used for stock and during lunch hour likely to be void of employees, since the employees who worked these floors generally were at lunch in the first floor domino room, or the second floor lunch room where Oswald was seen by Officer Baker 90 seconds after the shooting. [51] Also, some employees left the building during lunch break.

It is reasonable to assume that the fifth floor would be the ideal floor for the gunman to shoot from. Also, to shoot from a window that did not face the crowd on the Plaza. In a photograph taken just minutes after the shooting, two windows, on the southwest corner of the building facing the overpass, are shown to be open.

[52] Another window, on the southwest corner, facing Elm Street is also open. [53] James Jarman, an employee, who watched the motorcade from a window on the fifth floor with Bonnie Ray Williams and Harold Norman, testified that, after the shooting, the three men moved to the southwest corner of the building and he opened the window facing Elm Street. [54]

However, despite the testimony of James Jarman that the trio opened the window facing Elm Street, there is evidence to the contrary. In Richard Trask's book Pictures of the Pain (p. 499), a picture taken by James Powell shows the window to be open while Norman, Williams, and Jarman are still seen in the open windows at the east end of the building. It is possible that Jarman was confused when he testified. He may have opened one or both of these windows facing the west end since photos taken after the shooting show both windows open. (See Trask p. 495)

Obviously, the fifth floor had to be abandoned because of human traffic. In addition to Norman, Jarman, and Williams, who joined them at 12:20 p.m., [55] was Jack E. Dougherty, an employee who had returned to work early and was filling a book order on the fifth floor at the time of the shooting. He testified that he took the west elevator to the first floor after hearing a noise which sounded like a backfire. [56]

Since the fifth floor had to be abandoned, why wasn't a window on the southwest corner of the sixth floor used for the shooting? Because Bonnie Ray Williams was eating his lunch on the sixth floor at a place where he would have seen anyone in the southwest corner. [57]

With time running out (Williams did not leave his sixth floor position until 12:20 p.m.) the assassin, with the rifle, went to the southeast window where he could be hidden by the boxes of books that had been moved there during the morning by the crew laying the new plywood floor at the west end of the sixth floor. [58] It is likely that if Williams remained on the sixth floor, he would have been another victim of the tragic event.

We realize that the audience to which this article is presented will not share all of our conclusions despite the fact that we have attempted to support these ideas with testimony and evidence available to everyone. We offer the results of our research hoping that we have

added some fresh and interesting material to those concerned with the event rather than to seek confrontation with those who are sure to disagree with us.

We also realize that, as fresh evidence becomes available, we must be subject to alter our present ideas should the new material contradict the harmony of our present conclusions.

#### Notes

1. Report of the Select Committee on Assassinations, U.S. House of Representatives, Ninety-Fifth Congress, Second Session March 29, 1979, p. 1.
2. Report of the Select Committee on Assassinations, U.S. House of Representatives, Ninety-Fifth Congress, Second Session March 29, 1979, p. 1.
3. The President's Commission on the Assassination of President Kennedy. Report. (Washington: Government Printing Office, 1964). Cited hereafter as WR. Here WR 110-111.
4. WR 110.
5. WR 117.
6. WR 111.
7. WR 112.
8. Cyril H. Wecht, M.D.J.D. Cause of Death, (New York: Penguin Books. USA, Inc. 1994) p. 29.
9. Wecht, Cause of Death, p. 29.
10. Wecht, Cause of Death, p. 29.
11. U.S. Warren Commission, Hearings before the President's Commission, on the Assassination of President Kennedy. (Washington: Government Printing Office, 1964). Cited hereafter as H with appropriate Commission Exhibit added, hereafter cited as CE, as in 17H(CE 737) 511; sometimes with appropriate Deposition Exhibit identified, as in 22H (Stovall Exhibit D) 603. Here 4H134.
12. Wecht, Cause of Death, p. 29.
13. 4H135.
14. Cyril H. Wecht, M.D.J.D. "Modern Medicine". November 27, 1972. "Pathologist's View of JFK Autopsy: An Unsolved Case", p. 233.
15. Cyril H. Wecht, M.D.J.D./Robert P. Smith, "Forensic Science" 1974. "The Medical Evidence in the Assassination of John F. Kennedy".
16. Cyril H. Wecht, M.D.J.D. June 12, 1975. Press Release. "Testimony Distorted" The Rockefeller Commission, pp. 519-520.

17. Wecht, Cause of Death, p. 71.
18. 4H146.
19. 2H138.
20. WR 49.
21. WR pp. 557-558.
22. 3H428-437; 3H497-502.
23. 4H 256, 257; 7H404.
24. 26H (CE 2968) 449.
25. Sylvia Meagher, Accessories After the Fact, New York (Vintage Books) 1967, p. 33.
26. 2H132 (Greer); 18H (CE 1024) 749 (Ready); 18H (CE 1024) 754 (Landis); 18H (CE 1024) 783 (Taylor).
27. 2H117.
28. 7H291. See also Richard Trask, Pictures of the Pain, Danvers, Massachusetts (Yeoman Press) 1994, p. 209.
29. 2H116.
30. 18H (CE 2111) 70.
31. 3H221.
32. 18H (CE 1024) 731.
33. 18H (CE 1024) 731.
34. Robert Groden, Killing A President, USA (Viking Press) 1994, p. 179.
35. Seymour Weitzman reports (7H109) "he [a yard man] said he thought he saw somebody through something through a bush."
36. WR 97.
37. WR 117.
38. 5H130.
39. 5H132-133.
40. 5H132-133.
41. 5H148. (Dallas County Surveyor Bob West, who participated in the reenactment in May, 1964, quoting "They (FBI and SS) brought this big old Cadillac down to use in the tests, but it was 13 inches higher than Kennedy's car." Jim Marrs, Crossfire, New York (Carroll & Graf) 1989, p. 456.
42. 5H132.
43. 4H131.
44. 5H132.
45. Trask, Pictures of the Pain, p. 42.
46. 18H (CE 1024) 731.
47. So much may be inferred from driver William Greer's description (2H129): "It [the back seat]

wouldn't go up and down when the top was down. But when it was off he [the President] could raise it up or down, and it would be above the other seat."

48. Wecht, Cause of Death, p. 75.
49. 3H144; 2H204-205.
50. 3H246.
51. 3H252.
52. Trask, Pictures of the Pain, p. 495.
53. J. Gary Shaw, Cover-Up, Austin, Texas (Collector's Edition) 1992, p. 31.
54. 3H204, 205.
55. 3H173.
56. 6H379.
57. 3H169.
58. 3H165.

28.

## GERALD POSNER: A TOUCHSTONE FOR TRUTH

by  
Don Scott

I have found a use for Gerald Posner's Case Closed [1] which may be useful to other researchers into the assassination of President John F. Kennedy. I use his version of any detail upon which there is disagreement as a sort of "negative template". [2] That is to say, if there are two or more possible versions of some event, I check to see which version Gerald Posner has favored, then I turn to the other(s) as more likely to be accurate.

I had occasion to test this hypothesis recently when I was reading James DiEugenio's Destiny Betrayed. [3] There on page 73 I read the following:

*"Patrolman Marrion Baker...parked his cycle and ran through the main entrance of the (Book Depository). There he met Roy Truly...The pair ran up the stairs to the second-floor landing. Baker stopped here because he saw a man through*

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