

Underwood, James

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DL 100-10461
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By letter dated July 7, 1964, the President's Commission requested additional investigation concerning an alleged mark on the curb in the vicinity of the Texas School Book Depository (TSBD), Dallas, Texas, which had been photographed by JAMES UNDERWOOD, a Newsman with KRLD-TV, Dallas, Texas. In connection with this request, the President's Commission letter made available a photograph of the curb made by TOM DILLARD of "The Dallas Morning News" which had been forwarded to the President's Commission by MARTHA JOE STROUD, Assistant United States Attorney, Dallas, Texas.

FEDERAL BUREAU OF INVESTIGATION

1Date 7/15/64

JAMES UNDERWOOD, residence, 9751 Parkford Drive, Dallas, Texas, a Newsman for KRID-TV, Dallas, was shown two photographs. One of these photographs is of a mark on the curb on the south side of Main Street near the triple underpass and shows a hand shielding the light from this mark. The second photograph was taken looking across Main Street and up Elm Street towards the Texas School Book Depository (TSBD) Building. Mr. UNDERWOOD identified these photographs as frames taken from a 16 mm movie film, which film was taken by him on the morning of November 23, 1963. Mr. UNDERWOOD advised he had been told by a Deputy Sheriff, whose name he could not recall, that there was a mark on the curb on the south side of Main Street near the underpass, which was possibly made by a ricocheting bullet. The photograph of the hand shielding the mark on the curb was made by UNDERWOOD squatting down in the gutter to get a close-up view of the mark, and the picture of the TSBD Building was taken by placing the handle attached to the underneath side of UNDERWOOD's movie camera on the curb near the mark and pointing the camera back towards the TSBD Building, in order to get a low-level shot.

Mr. UNDERWOOD repeated what he had told Bureau Agents on June 11, 1964, that he could not be positive the mark was made by a ricocheting bullet, but appeared to him that it could have been, based on knowledge acquired by him while in the military service. He further stated it was definitely a mark on the curb and not a nick in the curb. He repeated that the concrete was not broken and that the mark appeared to have possibly been made recently, but he could not judge how much time had passed since the mark was made when he took the photographs of it.

Mr. UNDERWOOD stated that, prior to taking the photographs, he met TOM DILLARD, a Photographer for "The Dallas Morning News," near the entrance to the Dallas County Jail, and had told DILLARD about the information he had received from the Deputy Sheriff about the mark on the curb. DILLARD indicated he would possibly also take a still photograph of this mark.

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on 7/15/64 at Dallas, Texas File # DL 100-10461
 by Special Agents ROBERT M. BARRETT & IVAN D. LEE Date dictated 7/15/64
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FEDERAL BUREAU OF INVESTIGATION

Date 7/15/641

TOM C. DILLARD, residence, 7022 Marrilee Lane, Dallas, Texas, a Photographer for "The Dallas Morning News," advised that on the morning of November 23, 1963, while at the Dallas County Jail entrance, he had received information from JAMES UNDERWOOD, a Newsman for KRLD-TV, to the effect there was a mark on the curb on the south side of Main Street near the triple underpass. UNDERWOOD had told DILLARD that the mark was possibly made by a bullet. Later during the afternoon of November 23, 1963, DILLARD, using a Mamiyaflex 120 Camera, took a picture of a mark on the curb on the south side of Main Street about twenty feet east of the triple underpass. DILLARD stated he was of the opinion the mark very possibly could have been made by a ricocheting bullet and that it had been recently made.

Mr. DILLARD was shown a photograph of a mark on the curb with a hand holding a pencil pointing towards the mark. He identified this photograph as a copy of the one he had taken on the afternoon of November 23, 1963.

Mr. DILLARD stated he definitely recalls it was a mark on the curb, rather than a nick in the curb, and the concrete was not broken or chipped.

on 7/15/64 at Dallas, Texas 31 File # DL 100-10461
by Special Agents ROBERT M. BARRETT & IVAN D. LEH Date dictated 7/15/64
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FEDERAL BUREAU OF INVESTIGATION

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Date 7/15/64

Special Agents ROBERT M. BARRITT and IVAN D. LEE, of the Federal Bureau of Investigation, accompanied by TOM C. DILLARD, a Photographer for "The Dallas Morning News," and JAMES UNDERWOOD, a Newsmen for KRLD-TV, went to the area approximately twenty feet east of the triple underpass and on the south side of Main Street. Through the use of the same camera used by Mr. UNDERWOOD on November 23, 1963, and by aligning three reference points in a photograph of the Texas School Book Depository (TSBD) Building taken by Mr. UNDERWOOD on November 23, 1963, from this same area, it was ascertained the mark observed and photographed by Mr. UNDERWOOD and Mr. DILLARD had been at a point on the curb twenty-one feet and eleven and one-half inches east of a point where Main Street passes under the triple underpass. This same point where the mark had been observed by Mr. UNDERWOOD and Mr. DILLARD was seventy-three feet and five inches west of the first lamp post on the south side of Main Street, which lamp post is the first one located east from the triple underpass on Main Street.

The area on the curb from this point for a distance of ten feet in either direction was carefully checked and it was ascertained there was no nick in the curb in the checked area, nor was any mark observed.

Reference points in the photograph taken by Mr. UNDERWOOD used to locate this point were a lamp post located in the right of the photograph, which appears to be midway between two buildings, a lamp post located on the north side of Elm Street, which is in line with the third row of windows from the southwest corner of the TSBD Building, and which face south, and a traffic sign located on the left side of the photograph, which is to the west of the TSBD Building.

It should be noted that no nick or break in the concrete was observed, in the area checked, nor was there any mark similar to the one in the photographs taken by UNDERWOOD and DILLARD observed in the area checked either by Special Agents

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on 7/15/64 at Dallas, Texas File # DL 100-10461

by Special Agents ROBERT M. BARRETT & IVAN D. LEE Date dictated 7/15/64
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BARRETT and LEE, nor by Mr. UNDERWOOD or Mr. DILLARD. It should be noted that, since this mark was observed on November 23, 1963, there have been numerous rains, which could have possibly washed away such a mark and also that the area is cleaned by a street cleaning machine about once a week, which would also wash away any such mark.

FEDERAL BUREAU OF INVESTIGATION

Date 7/27/641

JAMES UNDERWOOD, residence, 9751 Parkford Drive, Dallas, Texas, a Newsman for KRLD-TV, Dallas, on July 23, 1964, was requested to furnish a copy of the movie film taken by him on November 23, 1963, of a mark on the curb, which was located at a point on the south side of Main Street just east of the triple underpass.

On July 24, 1964, Mr. UNDERWOOD furnished a reel of 16 mm movie film, in which the footage depicting the above-described mark is located. He stated there were other scenes taken by him on November 23, 1963, also set out in the same reel of film, but that this reel of film would show the print made from the original negative in its entirety and without any cropping.

on 7/23,24/64 at Dallas, Texas ³⁴ File # DL 100-10461
by Special Agent IVAN D. LEE/eah Date dictated 7/24/64

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FEDERAL BUREAU OF INVESTIGATION

Date 7/27/641

TOM C. DILLARD, residence, 7022 Merrilee Lane, Dallas, Texas, a photographer for "The Dallas Morning News," was requested on July 23, 1964, to furnish prints of any photographs he took on November 23, 1963, of a mark on the curb, which mark was located on the south side of Main Street, just east of the triple underpass. Mr. DILLARD was requested to furnish a print of the entire negative of each photograph taken without any cropping.

On July 24, 1964, Mr. DILLARD furnished two 8" x 10" glossy prints on each of which there is a 7½" x 7 3/8" photograph. These photographs are identified on the back by the letters "A" and "B". He stated these were prints made from the entire negative, without any cropping, and were copies of two photographs he took of the mark on the curb.

From photograph "A", a blowup was made and a copy of this blowup had been previously furnished by Mr. DILLARD to an Assistant United States Attorney in Dallas. A copy of photograph "B" is differentiated from photograph "A", in that in the upper left-hand background of photograph "B", there can be seen a manhole cover.

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on 7/23, 24/64 at Dallas, Texas File # DL 100-10461
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FEDERAL BUREAU OF INVESTIGATION

Date 6/18/64

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J. E. "BILL" DECKER, Sheriff, Sheriff's Department, County of Dallas, furnished a copy of an investigative report prepared by Deputy Sheriff "BUDDY" WALTHERS concerning investigation conducted by WALTHERS in regard to the assassination of President KENNEDY on November 22, 1963. This report is as follows:

"COUNTY OF DALLAS
 "SHERIFF'S DEPARTMENT
 "SUPPLEMENTARY INVESTIGATION REPORT
 "Name of Complainant "Serial No.

ASSINATION OF PRESIDENT KENNEDY

"Offense

"Officer Buddy Walthers, Deputy Sheriff, Dallas County Sheriff's Office

"DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.:
 "(Investigating Officer must sign)

"Date Nov 22, 1963 19

"I was standing at the front entrance of the Dallas Sheriff's Office when the motorcade with President Kennedy passed. I was watching the remainder of the President's party when within a few seconds I heard a retort and I immediately recognized it to be a rifle shot. I immediately started running west across Houston Street and ran across Elm Street and up into the Railroad yards. At this time, it was not determined if, in fact, this first retort and 2 succeeding retorts were of a rifle, however, in my own mind, I knew. Upon reaching the railroad yard and seeing other officers coming, I immediately went to the triple underpass on Elm street in an effort to locate possible marks left by stray bullets. While I was looking for possible marks, some unknown person stated to me that something had hit his face while he was parked on Main Street, the next lane south from Elm, as the traffic had been stopped for the parade. Upon examining the curb and pavement in this vicinity I found where a bullet had splattered on the top edge of the curb on

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on 6/18/64 at Dallas, Texas File # DL 100-10461
 by Special Agent A. RAYMOND SWITZER/eah Date dictated 6/18/64

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"Main Street which would place the direction of firing, high and behind the position the President's car was in when he was shot. Due to the fact that the projectile struck so near the underpass, it was, in my opinion, probably the last shot that was fired and had apparently went high and above the President's car. At about this time word was passed through the crowd that the President had been shot, as well as Governor Connally. The only building that was likely to have a shot fired from in this area was the Texas School Book Depository Building on the northwest corner of Elm and Houston streets, which, by this time, was fast becoming surrounded by police officers. Upon returning to the front of this building, I met Allan Sweatt, Chief Criminal Deputy of the Dallas Sheriff's Office and immediately escorted 5 witnesses to the shooting which he turned over to me and took them to Sheriff Bill Decker's office and placed them in the custody of Deputy Harold Elkins until they could be questioned. At this time Deputy Allan Sweatt told me that a police officer had been killed in Oak Cliff area somewhere on Jefferson Street. I immediately left the office with Deputies J. F. Ramsey and Deputy Frank Vrla and ran Code 3 to Oak Cliff. I received information by radio that there was a suspect in the Dallas Public Library located at Marsalis and Jefferson. Upon arriving at this location, we were met by a number of other police officers and we surrounded the library. It was then determined that the person inside the library was the wrong person. Upon getting back into our automobile, we started towards 10th Street, where the police officer had been killed in an effort to obtain further information and then received radio information from Deputy Sheriff Bill Courson, who was also in the Oak Cliff area, that the suspect was in the balcony of the Texas Theatre on West Jefferson. We arrived at this location within a few seconds and were met by many other officers. Upon proceeding to the balcony of the theatre, I ordered the manager to turn on the house lights. Some unknown officer was holding a white man at the steps of the balcony and I proceeded on into the balcony. I looked over the balcony and saw a commotion in the center section, near the back, in the downstairs of the theatre, and I hollered to other officers, 'He's downstairs', and we all ran down the steps and to the area of the commotion. When I reached the area of commotion, it was hard to tell 'Who had Who' as there were so many officers into a melee on the floor between the seats, but I saw Officer Carroll of the Dallas Police Department standing on the other side

"of the melee of people and I could see a gun on the floor with 2 or 3 hands on it and I reached into this melee and pulled up on the people and I believe it was Officer Carroll who reached down and got this gun. I am not positive it was Officer Carroll, but I believe it was, however, there was such a swarm of officers at this time, it was hard to determine. 4 or 5 officers then began carrying subject towards the front of the theatre and I picked up my shotgun which I had laid down in some seats away from the melee and me, along with several other officers who had shotguns, proceeded outside and held the crowds back so the officers could put the suspect in a car. The crowds were pushing and yelling, 'Kill the SOB' and 'Let us kill the SOB'. The only thing I ever heard the suspect say was, 'It's all over'. After they left the area with the suspect, me and the officers who were with me got in our car and reported back to Sheriff Decker at his office. Sheriff Decker then ordered me, together with Deputy Harry Weatherford and Deputy J. L. Oxford to go to a house at 2515 West 5th Street in Irving, Texas and meet some officers from Capt. Will Fritg's office. We arrived at location and met Detectives Rose and Adamcik from the Homicide division of the Dallas Police Department. Upon getting to this residence, we were met by a Mrs. Michael Payne and upon showing our credentials and advising her who we were, she stated, 'It's about the President being shot. We've been expecting it. Come on in'. She informed us that the lady standing beside her was Mrs. Oswald. Mrs. Payne went on to explain that Mrs. Oswald spoke only Russian, however, he would help interpret as she spoke both English and Russian. Upon asking if suspect Oswald lived at this location, she advised that his wife and children lived there, but that Lee Oswald and his wife had been separated and he did not live there. Mrs. Payne gave us permission to search the house or do anything we wanted to and she also, through interpretation, gave us Mrs. Oswald's permission to do the same. Mrs. Payne then gave us a telephone number and stated that was the phone number of Lee Oswald, however, she advised she did not know an address where he was staying. At this time, I called Sheriff Decker and advised him of this and he criss-crossed this telephone number and gave us an address of 1026 North Beckley. He advised he would dispatch other officers to cover this address. About this time, Mr. Michael Payne came to this location. Mr. Payne works at Bell Helicopter

"Plant. When told of the incident, Mr. Payne did not seem at all surprised, and merely stated that he had just taken off and had come home, when he had heard that the President had been shot. It was then learned that Mr. Payne had also been separated from Mrs. Payne and that he has been living in Grand Prairie. Mr. Payne gave no explanation for coming to this house in Irving, Texas.

"Upon searching this house we found stacks of hand bills concerning 'Cuba for Freedom' advertising, seeking publicity and support for Cuba. Also found was a set of metal file cabinets containing records that appeared to be names and activities of Cuban sympathizers. All of this evidence was confiscated and turned over to Captain Fritz of the Dallas Police Department and Secret Service Officers at the City Hall. A blanket was found at location that had a string tied around one end of it and still bore an imprint of a rifle. It was then determined that suspect, LEE OSWALD, had spent the previous night at this house. It was also determined from Mrs. Oswald that the day before, a rifle was in this blanket. Further interrogation of Mrs. Payne and Mrs. Oswald was carried on at the office of Captain Will Fritz, Dallas Police Department, at which I was not present."

Sheriff DECKER stated the above report, as well as all investigative reports reflecting investigation conducted by the Sheriff's Department, County of Dallas, has been furnished to the President's Commission.

Date 6/18/64

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EDDIE RAYMOND "BUDDY" WALTHERS, Deputy Sheriff, Sheriff's Department, County of Texas, advised he has been with the Sheriff's Department for nine years. He said he resides at 2527 Boyd Street, Dallas, Texas.

WALTHERS was exhibited a copy of an investigative report which he prepared on November 22, 1963, concerning investigation conducted by him of the assassination of President KENNEDY. WALTHERS read this report and stated he had no additions, deletions, nor would he make any change in this report. He stated this investigative report accurately reflects investigation conducted by him in regard to the assassination of President KENNEDY on November 22, 1963.

Regarding the book, "The Red Roses of Dallas," by NERIN E. GUN, WALTHERS stated he has never heard of the book and does not know anyone by the name of NERIN E. GUN, has never been interviewed by him and, to his knowledge, has never had any contact with GUN.

WALTHERS stated that on November 22, 1963, he was standing on the northeast corner of Main and Houston Streets as the Presidential motorcade passed. He said that, after the car bearing President KENNEDY had turned west on Elm and proceeded down Elm Street, he heard three shots, which he believed to be rifle shots. He stated he ran in the direction of the railroad yard. Concerning the claim made by GUN in his book, "The Red Roses of Dallas," that WALTHERS stated that the shots, or at least one of the shots, fired in the assassination of President KENNEDY were fired from the railroad overpass in front of the President's motorcade, WALTHERS stated he never made any such statement. WALTHERS advised he had concluded at that time that all shots had come from the Texas School Book Depository Building.

WALTHERS stated he never worked with any Secret Service Agent in the investigation of the assassination of President KENNEDY and informed the only contact he had with any Secret Service Agent was in the Sheriff's Office in Dallas, Texas. Further,

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on 6/18/64 at Dallas, Texas File # DL 100-10461
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WALTHERS stated since he heard only three shots he would have no reason to look for a fourth bullet or empty cartridge case. He stated he never looked for a fourth bullet, nor did he find a fourth bullet. He stated he did not participate in a search with any Secret Service Agents.

WALTHERS advised he was in the Texas Theatre, West Jefferson Street, Dallas, Texas, as set out in his investigative report at the time LEE HARVEY OSWALD was apprehended.

WALTHERS stated he has no idea where GUN got the information which is attributed to him.