

Dear Dave,

7/14/90

About the only thing that didn't interrupt my reading of your Exclusion of Oswald chapter was the severe weather that, save for one day, was all around us. We had two or more inches of rain in an hour during the one hard storm we had. All sides it was violent, but fortunately not here.

While I am sure that had I been able to start and finish on a single day much would not be clearer in my mind that may not be there at all, I do not believe it makes all that much difference. There may have been an advantage because I was able when doing other things to give some thought to what I'd just read. I did form some fairly definite impressions.

One is that this was much too painful for you and that it shows. You have not done nearly what you could have done and not nearly as well as you always have done.

Another is that you began with the feeling you just had to rush like hell. That I think also shows. You forgot too much that you do know that is relevant, I think important for this chapter. You didn't remember clearly and you didn't check. Because you are anything but lazy the failure to check, by which I mean with your own recollections and with sources you should have drawn on, particularly Whitewash, I can't think of any explanation for the rush. Perhaps because it was painful you rushed to get rid of the pain sooner. Another sign is the cliches you used too often, like we must do this or that or think this or that, etc. This contributed to dulling what could and should be exciting. As did other such constructions.

You are not nearly as much the professor lecturing dumb and uninterested students but some of that remains.

That you did not include so much that you certainly know makes me wonder if you began with an outline or, if you did, if you also rushed that. You'll see some of what I mean in what I added for you.

Did you begin with the belief that you could or should or just had to get it all done during the summer without classes?

When I got it I thought I could read and highlight what I'd later write a bit about but soon I felt that was inadequate. Then I started to write comments on the pages and pretty soon I felt that also was inadequate. So, I redrafted some of it and included some of what you forgot. I mean some of what we even discussed on the TSB time reconstruction.

In a sense you could not see the forest because you were blinded by the individual trees. An example of this is omitting the absolute requirement that the Commission get Oswald out of the building and on his way to the bus in exactly three minutes or less from the time of the shooting.

I got the impression that you even got twisted on the geography, the directions, and in some places I placed a question mark where I felt this.

One of the items of which I have a clear recollection of having told you that you omitted is MacNeil, on whom you have two sources separated by more than two decades. Another is Baker and the front stairs and second-floor side corridor, on the west.

If you decide to redo this, and your free summer is mostly gone, I urge you strongly to reread the pertinent section of Whitewash, make notes on what you should not omit and be sure to include my citations. You needn't credit the book. Just cite those sources. Unless, of course, you want to make an issue of how thoroughly the flaws and crookedness was documented in the literature, particularly the earliest, when so little other than the report and 26 was available. I was reminded of this when I decided to check Mrs. Reid, whom I remembered. (In fact I remembered more than exists! I thought she'd said the coke was partly consumed!)

I do not believe you had in mind telling an exciting story. But is it exciting! Shocking, too! And so utterly dishonest, in intent and in formulation and execution.

I'm sorry you did not take my initial suggestion, that instead of lecturing and belaboring in spelling all out you resort to ridicule and sarcasm. *and many.*

There can be a very big advantage in basing yourself on what was published earliest. It will be historically important to make a record that the early, non-theoretical works were substantial - and largely ignored, except by the sorrowing general public, which took to them and daily still does, from my mail. This makes the point that nothing more was needed to bomb the whole ugly, dishonest mess. That can be fleshed out with some of the new so much of which will be beyond your reach. You can, however, get enough to make the general observation that with all that has come to light, there is no rebuttal of the essence and the detail of the earliest works in it and it does flesh out and add literary muscle to the first good books.

Your missing Mrs. Reid missed a fine chance to clobber the Judenrat *Belin*. I added a little. He is a mark because of his books and pontifications elsewhere. On her, on the Tippit time reconstruction, etc. You are the Jury, new reader. You'll have similar opportunities with some of the other counsel. and Ford. Etc.

I like the book title and am pleased that you recall it. But I do not like the chapter title. Dull. I think you meant Exculpating Oswald. That will apply to several other treatments. You may want to have a section with this title and individual sub-titles for the chapters in the section. This would apply to all of V from the outline of the chapters. It could apply through IX and would tend to sharpen what you say.

You do not indicate an appendix. If you have one, would you consider having XVI in it? I think the book will be more exciting if you do. and you do want to excite readers. Including professors. You want to be in a position to sell books because that is the way you reach people and you want to be able to turn those of the press who are not blind or personally corrupt on. They won't take the time to read what is dull and overly-scholarly. *By* which I mean in style, not content. Essentially there is no difference in content between the intendedly scholarly and the intendedly popular. I think the scholarly will be inherent and obvious in the ~~scholarly~~ popular approach.

It is almost supertime. I'll lay this aside until tomorrow and then will read and correct it and see if I think of anything else.

What I wrote I wrote in haste and corrected it in haste. There may be errors and other flaws in it.

7/15- After we spoke I thought of a better title for the section, if you break it down that way: Exculpation and Conviction. You will be drawing together what exculpates Oswald and convicts at least the Commission and probably the FBI.

I'm glad you put David on the phone, that I could speak with him a bit, and + hope I did not make him late for whatever he was going to. Best to you all,

David

You seem to be writing about WC only. You should include at least one agency, most of all FBI - and make it clear to which reference is made at any point.

IV. Exclusion of Oswald

Anyone who seeks to know about the murder of President F. Kennedy must first confront the myth that Lee Harvey Oswald shot him. The distortion of history arose from the concerted act of officials who with solemn oath claimed to have looked into the crime on behalf of the American People, but who instead used that trust and vantage to stifle a proper probe. Then they imposed upon the public a political solution as criminal resolution. As the Warren Report expressed its findings: "The shots which killed President Kennedy and wounded Governor Connally were fired by Lee Harvey Oswald."¹

A generation of Americans have now thoroughly discussed the assassination and in the popular mind a belief Oswald played a primary role is so deeply rooted that to imagine he did not murder President Kennedy beggars reason. Consequently when a critic casts doubt on Oswald's relationship to the crime misunderstanding can be expected to arise and distort meaning.

*is this
This phrase,
literally?
Rephrase?*

In confusion some might find an expression of dissent

from the official doctrines might mean one thinks Oswald operated with confederates, a not uncommon belief. But this is not the charge, the bent of the facts objectively seen, and the reality which underpins this brutal crime of the century. A starkly different point is at issue with radical implications: no credible evidence exists to link Oswald to the crime and never has. In reaching this conclusion no new evidence is brought forward. The old evidence lying in the dust and rubble of the center ring, discarded and unmolested, firmly fixes this fact. It is quite good, quite clear, and all who played a major role in the original inquiry into the President's death knew it or had substantial reason to believe it.

u / u /
too stark.
won't be belie-
ved

only
17 SST
A7:

Major problems impede understanding. A veritable mountain of material blocks access to the crime, perhaps twenty to twenty-five million words in documents scattered in a dozen depositories and collections, unindexed, lacking either chronological order or categorical relationships, stuffed full of ambiguities and clashing facts, the whole consistently muddled by scores of rash theorists. And if this was not enough to give pause, a historian faces another, much different, problem because an approach to the crime must be made through evidence presented in the official formulation of Oswald's guilt. Before drawing any conclusions one must first prove a negative that Oswald did not shoot President Kennedy, a logical cul de sac that can only be exited by critical examination of the evidence amassed against him. Yet, the heart of the criminal

official
had substantial reason to be-
lieve it.

The FBI had several m-
decisions - only
we did not. The
W.C. planner
one but
Wilson's can
called that
economy
brings when
JFK was
offed

dimensions of the murder is patently obvious and not complicated in its structure at all.

The Warren Report's case against Oswald contains just six components.² It holds that Oswald owned and possessed a rifle found on the sixth-floor of the Depository used in the assassination. That he carried the weapon into the Depository that morning disguised as curtain rods. That he was at the scene of the crime about the time of the crime. That he fired the three shots. That he then hid the rifle on the sixth-floor. And, that he fled the scene of the crime.

The Report built a seemingly solid foundation for Oswald's ownership and possession of the Depository Carcano.

(1) Ownership, possession and movement of rifle

That afternoon the police search of the sixth-floor discovered a 6.5mm Mannlicher-Carcano hidden beneath several cartons of heavy books. A bullet found at Parkland Hospital, CE 399, traced to the rifle. The Commission determined that

Lee Harvey Oswald had purchased, owned, and possessed that exact rifle,

The Commission claimed to have located Oswald's purchase records. FBI agents found a mail order coupon from an "A. J. Hidell" for a Carcano to be mailed to Oswald's postal box in Dallas plus the statement showing a rifle was shipped photographed in the microfilm storage records of Klein's Sporting Goods Co., Chicago. Officials enlarged them

Wanda
from the 35mm negatives ^{were} and submitted them to a number of ^{handwriting experts} professionals to determine if Oswald could have written them.

All agreed he did.³ But two pertinent questions arise here.

py of ink writing on cheap, magazine paper?
Can one really make a definitive determination on handwriting based on a 35mm negative ^{those} and two hundred characters of ^{ad} writing?

The experts maintain a valid test can be made but an objective mind must be inherently skeptical of the paucity and peculiarity of the working papers such a decision is based on. But further, could someone with expertise have copied Oswald's handwriting? Neither the Commission nor the staff raised this question, yet it certainly is a sound one to ask especially in an era when questioned documents, forgeries, counterfeiting, and fakes are not uncommon

include poor copy

On March 20 Klein's shipped a Carcano by parcel post to postal box 2915 in Dallas, rented by Lee Harvey Oswald.

Several basic questions arise. Did the rifle arrive? The Commission never proved that it did, although the post office had an excellent way to establish it) ^{- they required receipt. But} no postal receipt

appears in the records, an especially disturbing fact given the bureaucratic fascination with records and the postal system's penchant for preserving them. Why no postal receipt? ^{also,} ~~But~~ did Oswald pick up the rifle if it arrived?

The Commission never placed the rifle in Oswald's possession.⁴ Before the Commission Postal Inspector Holmes testified that anyone could present the arrival notice found in the postal box to the postal clerks and receive the package.⁵ The bottom portion of the form which listed the

names of the individuals who could pick up mail from the box was torn off. Holmes testified postal regulations required the portion to be destroyed when a person closed a box.⁶ (Except not in the instance of Oswald's New Orleans box]⁷ No knowledge of who could pick up mail from the box other than Oswald is available. Failure to peg this important component of the case in documentary evidence marks a major weakness in the investigation.

The Report places great emphasis on the fact the rifle Klein's shipped bore the serial number C2766, the same as the serial number found on the rifle discovered in the Texas School Book Depository. It states:

Information received from the Italian Armed Forces Intelligence Service has established that this particular rifle was the only rifle of its type bearing serial number C2766.⁸

FBI SA Robert Frazier also testified that the serial number on that particular rifle was unique.⁹ Yet, in Commission Exhibit 2562, a 22 page report from FBI Director J. Edgar Hoover, we find the serial number is addressed much differently:

. . . In the 1930's Mussolini ordered all arms factories to manufacture the Mannlicher-Carcano rifle. Since many concerns were manufacturing the same weapon, the same serial number appears on weapons manufactured by more than one concern. Some bear a letter prefix and some do not.¹⁰

Thus establishes
The documentation then sustains an opposite finding than the ~~Commission's Report presented~~. This leaves open the distinct possibility the Depository rifle was a plant.

The Report ^{also} fails to show Oswald's ownership and possession of the clip and ammunition, two essential *elements of proof*. ~~components of the lethal weapon~~. The Report states the rifle had a clip when found in the Depository¹¹. Footnote 23 refers the reader to the sources upon which this statement rests, the testimony of Captain Fritz and Lt. Day of the Dallas Police Department¹². In another instance of the Commission and its staff use of blue sky for facts we discover that neither source contains ^{this} the information. The ~~Commission Report~~ further comments the rifle probably came without a clip, but does not account for the ^{alleged} appearance of the clip, *in the rifle or at the crime scene*. ~~neither~~ ^{Commission did not} questioning Klein's personnel to determine if this was indeed the fact ^{His Report gives no} nor ^{of any search for this} giving any indication ^{authorities} ~~search for the information~~.¹³ *over*

The same is true of the ammunition. Three bullets fired plus a whole cartridge in the rifle when found means Oswald owned four bullets.¹⁴ Bullets are not sold by the number but ^{usually} by boxes and can be traced to manufacturer and distributors. Where the bullets came from we do not know.¹⁵ Why?

Oswald's possession of the rifle proved equally difficult for the Commission to establish; it never *even tried to* ~~substantiated~~ ^{prove} that he possessed that particular rifle. It attempted to utilize Marina Oswald to show Lee Harvey had ^{use} the rifle ~~in his control~~ but she swore that he ^{but} ~~owned~~ ^{had} and

Without a clip to feed rounds into the magazine the rifle had to be re-
loaded by hand, a slow & very time-consuming process.
It is alleged that an unfired bullet was found chamber-
ed, ready to fire. ~~without~~ without a clip. This was im-
possible.

possessed a completely different rifle, one without a telescope.¹⁶ The Commission ignored her statement because it did not jibe with its preconception.¹⁷ And what would it do with another rifle to account for and trace? Another tactic also failed when an effort was made to match the Mannlicher-Carcano with a rifle depicted in photographs of Oswald in a backyard holding a weapon.¹⁸ The shadows and indistinct outlines required the Commission to conclude comparisons could not be made¹⁹ although responsible critics have suggested rigorous measurements and silhouettes derived a negative answer.²⁰

The Report ^{claimed} charged that the police lifted Oswald's palmprint from the underside of the barrel of the rifle after

they had removed the wooden foregrip.²¹ This if anything established possession. But when one examines the evidence for this claim ~~surety is withdrawn and severe doubts~~ ^{men - that Oswald handled the disassembled rifle - are} _{raised} ^{that he had it at the time of the crime}

^{mail? I think SA} ~~about the validity of its statement.~~ The Dallas Police Department mailed the fingerprint to the FBI laboratory in Washington, D. C., three days after it mailed the rifle and other evidence for testing; it never arrived until the 29th.²² FBI Special Agent Latona who performed the tests for the Bureau testified before the Commission that he could not find on the rifle any traces of fingerprint dust in the area or any other evidence a print had been there.²³ Lt. J.C. Day of the Dallas Police who lifted the print refused to swear an affidavit on where he had found the print.²⁴

Having failed to affirm Oswald owned or possessed the

*No particular
Mannlicher.*

Carcano the Commission confronted the task of how the rifle got into the Depository in a busy place with a hundred people moving about in irregular work patterns. Oswald certainly had no place to hide the gun in his tiny room he rented on N. Beckley Street; he had no known associates who could have helped him; and, he had no money to rent a space somewhere to store the weapon.

The Commission decided he kept the rifle with his belongings stored in the garage of the Ruth Paine residence in Irving where his wife and two young daughters stayed. But that posed ^{an insurmountable} ~~problems~~ ^{it} they could not circumvent. Instead ^{it} they asserted on the basis of no evidence ^{at all} that he just did ~~have~~ ^{hide} the rifle in ~~the~~ ^{his} garage.

Klein's shipped the rifle March 20 and Oswald left April 24 for New Orleans by bus, leaving his wife and children to follow shortly.²⁵ ~~Ruth Paine~~ ^{then} moved his ~~wife~~ ^{children} and children in

with her in Irving while Lee Harvey took his suitcases with him. ~~Neither she nor Marina saw the rifle in the luggage of Marina and the children.~~ ^{They loaded and with which they travelled. Michael Paine helped unload the station wagon. He saw no rifle. The Paines, Gaskins, would not have tolerated a rifle on their property. So, how did the rifle get to New Orleans? ~~Abroad a bus?~~ In suitcases that were not big enough to hold ^{it?} the rifle? The Commission never ^{even asked.} inquired.}

On September 23 Marina and her children left New Orleans with Ruth Paine who had ~~journeyed down to pick them up to~~ ^{drive driven them to take them to Dallas.} ~~she~~ stay with her while Oswald went to Mexico.²⁶ He did not take the rifle to Mexico.²⁷ Ruth Paine who loaded the car in New Orleans and her husband Michael who helped her unload it in Irving did not see it--and it was heavy and irregularly wrapped; it was conspicuously lain on the garage floor the

allegedly the garage was used by...

...the station wagon. He saw no rifle. The Paines, Gaskins, would not have tolerated a rifle on their property. So, how did the rifle get to New Orleans?

...yorkie this I think...

So - *got from Dallas to* *and from there*
~~Commission~~ said. ²⁸ How did the rifle move from New Orleans (to Irving)? This is a central issue in the ^{case} charge against Oswald. But carelessly tossed aside as a non-issue by the Report because the Commission could not resolve it. The implications fly right to the heart of the possession question. If Oswald possessed the Carcano, where was it?

The morning before the assassination
The Report relates that Oswald hitched a ride to Irving after work with fellow worker Buell Wesley Frazier who lived with his *sister* one-half block from the Paine home. Late at night Oswald, *according to the Report,* went into the garage where his rifle lay *wrapped in a* under some blankets on the floor, disassembled it into two parts, reducing the

overall length. It contends Oswald had manufactured a paper bag *with him without Frazier seeing it* at work, snuck it home, and used it to *hide the rifle he carried* wrap and tape the package to resemble curtain rods.

When Oswald went to meet Frazier the morning of the day of the assassination.
The next morning he carried the package to the Frazier home, *put it on* put it into the back of Wesley's car, and rode to work. *When Frazier asked him.*

Oswald said
He told his ride the package contained curtain rods, (although) *not here*

That room had a car
the Commission noted his room in Dallas had curtains and rods. Frazier parked two blocks north of the Texas School Book Depository. *He got in the car while running the motor* lingered in the parking lot to rev his car to charge the battery *and saw* while Oswald walked toward the Depository with the package under ~~his~~ arm. (He entered with

Spoke of?
the rifle.) An irregularity pops up in the Report's narrative for it next places the rifle on the sixth-floor just before noon *with Oswald allegedly reassembling it* when Oswald assembles it. At 12:30 he shoots President Kennedy, runs across the floor *it was a hollow square of stacks* to a stack of book cartons *inside a hollow square* where he hurriedly hides the weapon *by wedging it between*

and *formed by cartons of books several cartons high*

~~some boxes.~~ He then races downstairs to the second-floor lunchroom where ~~he bumps into~~ Police Officer Marrion Baker, ascending the stairs,²⁹ *he saw the door close behind Oswald*

The Commission relied on the testimony of four persons to ~~account for the movement of the weapon~~ *show that Oswald carried the rifle* into the Depository. Wesley Frazier and his sister Linnie Mae Randall with whom he lived, Jack Dougherty, who observed Oswald entering the building, and ~~Troy~~ Troy Eugene West, who worked at the wrapping table.

A question directed to the preconceptions of the Commission and its staff must first be asked. Why on earth would Oswald want to disassemble the rifle in order to take it into the Book Depository? He had no reason to do so; logic finds it irrational. The fully assembled rifle measured 40.2" the longest of the two awkwardly shaped pieces measured 34.8", a savings of only 5.4", certainly not enough to make any significant difference to a smuggler hoping to escape detection.³⁰ This assertion is a concoction of Luftmensch. The Commission said he did it based on no evidence and no common sense at all.

To the claim Oswald brought home a paper bag to wrap the rifle in we meet the serious problem of lack of evidence. When did Oswald obtain the paper and tape he used? Troy West is a reliable witness who testified clearly that no one had access to his tape machine at the wrapping table, for he never left the table.³¹ *In three days the paper tape came out of the dispenser wet and with a* ~~The tape had to have come out wet~~ *cut* ~~from the distinctively marked slicing mechanism,~~³² and no

^{into}
other. Flying in the full frontal face of its own evidence
the Commission concluded Oswald got the tape from the machine
and made the bag.

You can't say this at this point without explanation
After making a sack six inches too short to hold the
rifle how then did Oswald carry it home? Here ^{that is} only the Frazier's
testimony ^{and he says} of Frazier is available and there is no doubt in it
that Oswald did not have the bag with him.³³ The bag would
have to have been carried unfolded because no creases beyond
the folds at the top and bottom existed in it.³⁴ Frazier saw

Do you need this?
ask some was Frazier, Frazier testified that
no bag. The Commission concluded based on this as their only
evidence that Oswald carried the bag home on the trip with
his neighbor.³⁵ *Oswald did not have any bag, as the Commission concluded the object opposite of 100% of*
its testimony, that being the need of its pre-conception.

Only Wesley and Linnie Mae Randall saw the package the
Commission claimed contained ^{The rifle} curtain rods. Under repeated
interviews and consistent testimony before the Commission the
pair of siblings swore the package measured ^{no more than} about 27 or 28
inches in length ^{and was too} with a width too narrow to permit the
dissembled rifle to be inside.³⁶ In addition they supported
their unshakeable testimony with two physical checks.
Wesley swore that Oswald carried the package with one end
cupped in his palm and the other end tucked up under his

armpit.³⁷ Oswald's average height and arm length could have
accomodated ^{at most} a 28" ^{long} package ^{This was 10 inches less than the length of the dis-}
rifle ^{assembled} while one a yard long to fit the
rifle would have stuck up several inches beyond the armpit. ^{shown} ^{told the FBI exactly how} ^{between hand and} ^{armpit.}

Wesley Frazier ^{showed} related Oswald placed the package on the
backseat of the automobile ^{he} and showed the FBI the exact
location. The FBI measured ^{The measurement length - 4'} it at 28".³⁸ The day before

Oswald had told Frazier he wanted to go to Irving to pick up some curtain rods; in the clutter of the garage lay curtain rods; on the way back on Friday morning he ^{Told Frazier} remarked the package contained curtain rods.³⁹ Frazier had sold curtain rods, ^{He said the package was not with its hold very curtain rods} and saw ~~nothing~~ inconsistent in the physical features of the package with a bundle of rods.⁴⁰

With this testimony as its evidence ^{the best opposite - that is} and its only evidence the Commission concluded Oswald carried the bulky package of ^{The disassembled} rifle parts ^{from the Paine home to} ~~disguised as curtain rods to work.~~ ^{The TSBD}

~~The evidence simply does not support such a desperate assumption.~~

^{Getting}
(2) ~~Moving~~ the rifle into the TSBD

Only Depository employee Jack Dougherty saw Oswald enter the building that morning ^{Based} and upon his testimony ^{only} the Commission concluded Oswald carried in the bag concealing the rifle. ^{into the building} "One employee," said he Report, "Jack Dougherty, believed that he saw Oswald coming to work, but he does not

^{is not what Dougherty testified when he was deposed by staff counsel, Joe Ball}
remember that Oswald had anything in his hands as he entered the door."⁴¹ ~~But Dougherty's testimony proved Oswald entered empty handed.~~ Dougherty's ~~employer gave him additional~~ ^{required him} duties to report an hour earlier and observe the other employees as they entered the Depository. ~~During his testimony before the Commission, staff counsel Joe Ball asked him:~~ ^{the book handler:} "Did you see Oswald come to work that morning?"⁴²

Dougherty replied, "Yes--when he first came into the

door."

Ball asked again, "When he came in the door?"

Dougherty said, "Yes; I saw him when he first came in the door--Yes."

The Report's use of the word "believed" then is in direct opposition to the evidence, "knew" it should be.

^{Ball} After asking whether Oswald had anything in his hands, Dougherty replied, ~~to Ball~~, "I didn't see anything if he did." Ball queried him again and Dougherty told him, "I didn't see anything in his hands?"

Ball pushed him, "in other words, you would say positively he had nothing in his hands?"

Dougherty responded in unmistakable language: "I would say that--yes, sir." ^{Once again, the Commission concluded the report opposite of 100% of its sworn testimony.} Dougherty ^{testified} said Oswald entered empty-handed and the

Commission based on that testimony alone said Oswald carried ^{the rifle} into the building. ^{If the Commission had not concluded the report opposite of all of its sworn testimony, it could not even have pretended what it did conclude, that Oswald carried it into the building that morning then used it to kill the President.} ^{There is no evidence then exists that Oswald carried a rifle into the building. The evidence is that he did have a package but did not take it into the building. But what then happened to the package? The building}

Frazier saw him walk toward the building ^{carrying the package} ~~toting the package~~ tucked in his armpit and cupped in his palm. Dougherty saw him enter ^{so, what could have happened to the package? At West of and} empty handed. ^{most of the main} Before the entrance door is a shed ^{where employees could store materials, if they needed to} where employees could store materials, if they needed to. ^{One} can infer that Oswald put the curtain rods there. ^{That was} That was ^{package in the} ~~the normal act.~~ ^{shed.}

Since the police never conducted a systematic search of the building until August, nine months after the crime no candid person can say the rods were not

Inset

Not only was it absolutely essential to ^{establishing} proving Oswald's guilt to prove that he did take ^{that} the rifle into ^{that} building ^{that} morning, it was also ~~essential~~ vital to check Oswald's alibi. The police did know, immediately, that he claimed he had carried only curtain rods for his Beckley^e Avenue room. Obviously, if Oswald had carried curtain rods and only curtain rods, on that basis alone he could not possible have been the assassin and more, much more - there was irrefutable proof of a conspiracy to assassinate the President. Public authority in those first moments after the assassination had the urgent obligation to determine whether or not the conspirators had other objectives. Were there to be other assassinations? Did they plot the overthrow of the government? Were they foreign assassins, their assassination prelude to an invasion of the country?

Immediate investigation of Oswald's know alibi was as urgent ~~was~~ a need as all elements of public authority, from the lowliest police investigators in Dallas to the highest echelons in Washington, faced and had to resolve and to resolve ^{immediately and} definitively.

Faced with this most pressing need, the police ignored it entirely.

So did the FBI and the Secret Service.

With this most basic of all questions facing it, too, the Warren Commission did nothing ^{at} all to get an answer until long after it had reached the conclusion with which it began, ^{and} was writing its report, and then realized that it could no longer ignore ^{this most basic evidence,} the most basic fact in making Oswald guilty. So, it had the building's manager, ^{Ray} "Truly", asked not if any search had been made or if he had ordered any search made. ^{It} asked him (and pick up the exact words and exact source from Whitewash)

~~Truly had appeared before the Commission and he had testified under oath. But~~

Truly had appeared before the Commission and he had testified under oath. But neither the prestigious Commission members, all eminent lawyers, nor its eminent counsel, had asked Truly a single question about Oswald's package or his claim that it held the innocent content of curtain rods.

^{this} Instead it was all wiped out with (again use WW) a letter in which Truly said no more than that (and his exact words are important) when curtain rods were found they

2
to,
were reported to him and no finding of curtain rods had been reported to him!

So, the Commission concluded what it had to conclude ~~and from its own outline of its work, prepared before any real investigation by it had been possible~~

to hold Oswald guilty and from its own outline of its work, prepared before it had been able to conduct ^{any} investigation, it did conclude, its preconception of Oswald's guilt,

As it said in its report:

One of the two earliest books on the assassination, "~~Oswald: Assassin 'r Fall-Guy,~~"
was written by the late Joachim Joesten, a German living in the United States. Unlike
the derring-do professional investigators of the Dallas police and the FBI and Secret
Service, he interviewed Mrs. Earlene Roberts, the housekeeper, and examined the room
Oswald had had. This is what he wrote:

~~in the Depository.~~

"Oswald lied when he told Frazier that he was returning to Irving to obtain curtain rods," ~~said the Report.~~⁴³ It

he did not say what Oswald. ~~cites the testimony of Oswald's landlady, Mrs. A. C. Johnson, that the room had curtains.~~⁴⁴ But, ~~did Oswald's room need~~ ^{have reason to feel he needed}

~~curtain rods? Two excellent sources say it did and negate~~ ^{or insert here he} ~~the Commission's poorly based source. A sound professional criminal investigation searching for the facts of the murder would have clearly established whether the room lacked or possessed curtains, provide an exhaustive physical description of the windows and all circumstances connected with it. Since this would only work to Oswald's advantage the Commission and its staff rendered this area invisible.~~

In early 1964 Joachim Joesten, a German writer, wrote a book on the assassination which supplied the answer. He had interviewed the housekeeper Earlene Roberts:

With a ground-floor window front running the full length of his room and opening out on the neighbor's driveway, Oswald was indeed living, as his landlady herself said in the course of a 45-minute talk I had with her, in 'the most public room' of the house. A goldfish has more privacy in his glass bowl than Oswald had behind this unbroken window front, especially at night, when his room was glaringly lighted by an unshaded bulb dangling from the ceiling.⁴⁵

The Commission knew this. It had acquired copies of the book, had ^{had} Joesten interviewed in Germany, yet in its Report

Moreover, there is a definitive, an irrefutable answer to the quintessential question, did Oswald feel that he needed curtains for his fishbowl of a room?

Reporters and photographers from all over the world flooded into Dallas as soon as the assassination was reported. Among them was a photographer from a well-known photographic agency based in New York City, Black Star. It provides both photographs and its photographers for assignment to newspapers and magazines. Its _____ was at 1026 North Beckley the day after the assassination and, as it happened, took a series of 35mm photographs of the diaphenous curtains that made a fish of Oswald in the fishbowl of a room and of curtain rods being put in place to hold other curtains!

Can it be that the FBI could not have learned that these photographs were made and did exist? Can it be that neither it nor any other agency nor the Commission failed to ask all photographers and photographic agencies for all ^{the} assassination-related pictures they had?

Can there have been anything that can reasonably - honestly - be called an investigation without this having been done?

The FBI's own handbook for local police emphasizes the importance of seeking and using photographs. *But the FBI ignored its own advice.*

Black Star's photographs are not in the Commission's records available at the National Archives.

~~The~~ Black Star's photographs are not included in the hundreds of thousands of pages of its records disclosed by the FBI in disclosures its represented, whether or not truthfully, as complete.

This was not because investigator effort ^{was cost and well} was stunted. For example, this is what Commissioner and former CIA Director Allen Dulles proposed to his fellow Commissioners with regard to getting a copy of Coosten's book, which was published in and was readily available in the United States: Pick up from executive sessions

Instead, ~~the report~~ in its Report, the Commission called Oswald a liar!

after space

what he said in his book about that room.
make no reference to it. insert follows next here
eliminated all references to this information as well as to

any physical description of the room
The day after the assassination a Black Star ^{photographer} reporter visited Oswald's room and snapped a photograph of curtains being hung. This gives the lie to the Report's statement. No references to this appears in the evidentiary base of the Warren Commission.⁴⁶

But the Report had one additional piece of evidence to demonstrate Oswald had ^{placed} the weapon ^{to} on the sixth floor, the paper sack found near the "assassin's window." *(Chair?)*

"... in the southeast corner of the sixth floor alongside the window from which the shots were fired," the Report says, the police found the paper sack.⁴⁷ The FBI Laboratory developed only a latent palmprint and latent fingerprint on the bag identified as the left index fingerprint and right palmprint of Oswald.⁴⁸

~~How do we evaluate this?~~ Two photographs, Commission Exhibits 1301 and 1302 ^{are} printed side by side in the Report and ^{they} purporting to depict the sixth floor scene where the bag was discovered ^{they} differ radically in the physical layout.⁴⁹ Since ^{they reflect} they are seen by the Commission and ^{to} the staff as evidence we

observe they impugn the veracity of the discovery claim as presented in the text. On the one ^{what for?} the box ^{is} is kattywampus to the sill of the window, the space for the bag restricted, while on the other the boxes have a different arrangement. It cannot be both. Furthermore, the sack ^{seems to have} appeared belatedly, ~~on the floor~~, having been not seen by several searchers

shorter summary

The sentence is not correct Do you mean

This sack is the only item of physical evidence the police do not claim to have photographed in place, before being moved.

who had it

combing the area, although allegedly occupying a conspicuous place next to two pipes.⁵⁰ The sack became the only physical item of evidence not photographed in place by the police.⁵¹

But even more peculiar to this evidentiary factor is the fingerprints of the police officer who found the bag and held it up for news photographers to see ~~do not appear on the~~ ^{were not on it. If he was not}

wearing gloves.

~~sack.~~⁵² The science of fingerprinting is not selective in its functioning. The bag ~~lacked the necessary~~ ^{did not have the} markings, stains, folds, crumples, it ~~ought to have borne~~ ^{had} if it held the awkwardly shaped, dirty, oily, ~~manhandled~~ ^{had been} package of the heavy metal rifle.⁵³ Finally, we note the obvious, ignored

by the Commission, that the appearance of Oswald's prints on any object on the sixth-floor is not ~~to be seen as unusual~~ ^{because} for he worked there, ~~his prints ought to have been found.~~ ^{and his job required him to handle many things there.}

The Commission never established that Lee Harvey Oswald ^{Extra space} owned, possessed, or stored the Mannlicher-Carcano rifle ^{in a bundle or transported} found in the Depository. It failed to ~~demonstrate how he~~ ^{prove that he had the weapon in Irving and} ~~could have moved the weapon from Irving to the Depository and~~ ^{shipped it from there into the Depository building. It} and then concluded in its report ~~the exact opposite of what it had proved.~~ ^{conclusively proved the opposite of what it had proved.}

(3) The placement of Oswald ^{at} about

the time of the crime. ^{To be able even to allege that Oswald was guilty the Commission had to} The Commission had the task of placing Lee Harvey Oswald ^{place him} on the sixth-floor of the Texas School Book Depository ^{at the spot} about

the time of the ^{shooting, this} ~~assassination~~, a problem ^{was} made more onerous by the ^{absence} lack of positive evidence and the abundance of negative evidence.

¶ Shortly ^{before} after 12:30 a number of Oswald's co-

This comes before 11:55

workers on the sixth-floor left for lunch, racing down in the *slow jumbo* two elevators, *They left* leaving Oswald stranded on the fifth-floor calling for them to send an elevator back up to him. In the testimony of one of the co-workers, Charles Givens, the Commission turned up a witness who *at* they used to *is late* affirm Oswald ~~was~~ on the sixth-floor *shortly* just before the crime. Givens, the Report noted, discovered after reaching the first-floor that he had left his cigarettes on the sixth and returned to fetch them. From the elevator area he saw Lee "walking away from the southeast corner" of the sixth-floor "at approximately 11:55 a. m."⁵⁴ It concluded by observing: "None of the Depository employees is known to have seen Oswald again until after the shooting."⁵⁵

From five minutes before noon until 12:30 Oswald remained on the sixth busily assembling the rifle, making a barricade of boxes around the eastern most window facing Elm Street, sighting in the scope, and lurking in the shadows for the expected 12:25 passing of the motorcade. He needed the time.

Severe strictures must be levied against the testimony of Givens. He provides a picture of a different Oswald than the man in the scene his co-workers gave the Commission. They were young people full of zest, scrambling for lunch with banter and comraderie, Oswald in the midst.⁵⁶ We also note Givens testimony and witness changed radically over the five months of his interrogation by city and federal authorities until he testified in April 1964.⁵⁷ On November

Do you mean in the penult graf that according to the Commission Oswald had that time in which to do those things? and he could not sight the scope without firing the rifle at a target.

The next graf begins by saying that "severe strictures must be levied against" "ivens "testimony." Not all is testimony and not all is to be refuted. Or is false.

You ignore what it is know that Oswald had said to the police that does prove where he was part of this pe riod of time: he saw "Junior" walk past where he was.

Jarman's testimony confirms what Oswald told the police.

I've forgotten what Howard and Sylvia said about this but I think you should at the least reread this part of "Whitewash."

26, 1963, FBI Special Agents Will Griffen and Bardwell Odum interviewed him to report that: "On the morning of November 22, 1963, GIVENS observed LEE reading a newspaper in the domino room where the employees eat lunch about 11:50 A.M."⁵⁸ The domino room is on the first floor.

On February 13, 1964, in response to a press rumor of a Negro being held in protective custody FBI SA Robert Gemberling interviewed Lt. Jack Revill of the Dallas Police Department. Revill told him: "Givens had been previously handled by the Special Services Bureau on a marijuana charge and he believes that Givens would change his story for money."⁵⁹ This statement lay buried in the archives of the Commission. Ten days later Commission assistant counsels Joe Ball and Dave Belin ^{id/ prepared} issued a joint report summarizing the state of the evidence ^{to them.} so far. In it they noted Givens placed Oswald on the first floor at 11:50 a. m.⁶⁰ On April 8, 1964, Belin took Givens' sworn testimony in a deposition with no one else present except the court reporter.⁶¹ The testimony ^{was used to place} ~~from this session~~ placed Oswald on the sixth-floor. ^{or} and provided the Commission with its only evidence.

Without a strong, thorough, discussion on why Givens' testimony varied so startlingly and an explanation on the charge of false witnessing for money, little credence can be accorded this central link in the Commission's chain of evidence.

A final, effective, demolition of the Givens testimony comes from an examination of how he saw what he said he did

Do eliminate the editorial - 13, 1964. It is hard to follow & is not necessary - state facts simply. Also a Thank it is possible to over-emphasize & guess

from the elevator area on the sixth-floor.⁶² The Depository was having a new floor there. To do that all the inventory of last row of books on the western half was engaged in a floor relaying job with stacks of books ^{been added to those already on the eastern half of that floor. These contents then were piled up blocking Givens vision toward the east; he could not} ^{stacked so high it is not likely that Givens would have seen anyone walking in the east-} have seen Oswald walking as he claimed.⁶³ A fundamental ^{in hall. 11m. in case about why from what can without proof that the stacks were solid} requirement for the acceptance of witness testimony demanded

a physical check on the allegations to see if they meshed, but Belin and the commissioners did not examine the reality, taking it as it were on faith and a faith resting on the necessity that Givens must see Oswald.

seemingly as acceptable of this test. showing no general trust in the witnesses

Three witnesses ^{he} confute the Report's claim that no one else saw Oswald during ^{between} ~~the time frame~~ ^{and} 11:55 to 12:30. They ^{all three} place him on the first floor. At [?] (11:45) Bill Shelley raced down on the elevators with the crew and he later saw Oswald on the first floor near the telephone.⁶⁴ The Report ignores his testimony.⁶⁵ Commission staffer Ball twice questioned employee Eddie Piper.⁶⁶ Piper related he saw and spoke with Oswald on the first floor at "noon." The Report does not mention ^{this} ~~his solid~~ testimony ^{dismissed it} but dismisses him instead as a "confused witness," ^{this is} an unwarranted characterization of a

witness who carefully described a series of known events accurately, but who clashed with Givens' peculiar witness.⁶⁷

These are the witnesses of the commission's problem is that his testimony is refuted by Givens' but the third witness made a shambles of the official scenario. - These were others it avoided - to the FBI

Mrs. Carolyn Arnold's statements ~~though~~ never made it into the Report or the 26 volumes of printed evidence.⁶⁸

9) On November 26, 1963, FBI agents spoke with her. Their ^{report} ~~relation~~ of what she said ^{says she} mentioned he had left her office in the Depository "between 12:00 and 12:15" ^{p.m.} to go downstairs and

In March, 1964 the Commission sent the FBI back to get the answers to specific questions from all Depository employees. It interviewed then Mrs. Arnold on the 18th. Instead of asking her to write ~~pass~~ her answers to the Commission ~~questions~~ out herself, the FBI followed the practise of writing what it wanted of what she said out in long-hand and then asking her to sign it. Consistent with what becomes apparent in what the FBI did in its first report, ~~quoted~~ above, the FBI built into the statement she was asked to sign a similar error. She would not sign the statement without correcting this error.

From her March interview it is apparent that Mrs. Arnold did not tell the FBI in November that she saw Oswald at about 12:15 p.m., ^{which was not shown to her.} although this is what their reports says. In this March ^{Statement} report the FBI served the ^{purpose to November} same purpose in its mistake, if that is the right word, ^{It handed} ~~is asking~~ her to sign a statement in which she said she saw Oswald at about 12:25 A.M. In her own handwriting she corrected the FBI ~~handwritten statement for her to sign~~ to make it after noon, not after midnight, ~~which was not shown to her.~~

The official story is that the rifle was disassembled. The Commission got an FBI expert to reassemble the rifle. It took him six minutes. Now, with Oswald on the first floor at about 12:25 p.m., ⁹ of five minutes before the assassination, it was obviously impossible for him to get to the back of the building and then ascend six stories in the very slow elevators or rush up the stairs and then rush back to the front of the building and then spend at least six minutes reassembling the rifle when there was only five minutes before the motorcade was there. Moreover, if the motorcade had not been late, it would have passed the TSBD before Oswald could have left the first floor. ^{It was due there at 12:25 P.M.}

So, the FBI could not ~~have~~ have Oswald on the first floor at 12:25 P.M. First it had him there at 12:15 P.M. and then it tried to give him time for his rendezvous with destiny by giving the time as 12:25 ^{2/} A.M.

FBI not on the first floor

view the motorcade. They reported she said (she "caught a fleeting glimpse of LEE HARVEY OSWALD standing in the hallway between the front door and the double doors leading into the warehouse . . . she felt it was OSWALD . . . and believed the time to be a few minutes before 12:15 PM." 69

in 12:25

~~On March 18, 1964, the FBI took a statement from her as well as other employees. She wrote on her account the following sentence: "I left the Texas School Book Depository at about 12:25 PM."⁷⁰ The statement is in her own handwriting and not a paraphrase of FBI agents reporting, notorious in the Commission inquiry for lacking fidelity to the originals. Much weight must be accorded to the 12:25 Arnold time.~~

*was I
with
not
was
his*

The commissioners and the staff never followed through with the information she gave, interviewing companions, examining the details of fact, and so forth, as one would normally expect in a murder investigation and from ordinary common sense. Instead they left the material in the great mass of unpublished matter turned over to the National Archives. Several implications follow from her testimony.

Before the Commission FBI agent Robert Frazier estimated it took six minutes to screw the pieces of the rifle together with a dime acting as the driver.⁷¹ A time of 12:25 meant Oswald could not have been ready on the sixth-floor at 12:30 to shoot President Kennedy. He would have to go up to the sixth-floor, assemble the rifle, sight it in, and shoot, an

absolute impossibility. At the same time Arnold's sighting of Oswald near the entrance doorway supports the evidence found in a photograph taken by James Altgens of the Depository entranceway. It shows a man which appears to be Oswald standing in the doorway to the rear of the crowd looking at the motorcade pass.⁷²

The Commission and its staff also operated in a deceitful manner when they claimed no one had seen Oswald on the first-floor between 11:55 and 12:30 yet had operated in a manner to seal off any information that might contradict their congenial premise. On March 16 J. Lee Rankin, General Counsel for the Commission, directed the FBI to contact each person known to have been in the Depository on the assassination date and ask them six specific questions and no others.⁷³ Question four asked if the employee had seen Lee Harvey Oswald at the time of the assassination, 12:30. No questions were to asked if they had seen him prior to 12:30, from noon onward or in the morning or the day before or anything else.

The FBI strictly followed instructions in taking the 73 statements, only Mrs. Arnold's erred when she on her own included the 12:25 sentence. None of the 73 said they had seen Oswald at the time of the assassination.⁷⁴ Obviously they had come out to look at the President of the United States and not to glance around to spot persons they might recognize. This is the nature of the search for evidence of Oswald's presence, patently a non-search made to provide a

Handwritten notes:
I did shorten
this
use what
I wrote
because some
can be of
no interest
-
who - why
were people
not asked
about right
at the time
-
made that
statement
-
let
-
when
was
-
on
-
report

Handwritten notes:
- NBC on
the assassination

The police claim they did not tape record their questioning of Oswald. They were questioning him to get a confession but even the Commission had trouble with police questioning to get a confession and then not have the confession recorded. So it asked the Homicide chief, the late Captain Will Fritz, why he did not tape record the ^{interview} ~~questionings~~ of Oswald. It accepted his non sequitur response: he had a tape recorder in his budget but it had not been approved.

If by any remote chance the entire Dallas police department did not have ~~any one~~ ^{single} tape recorder, and if by no less a remote chance the district attorney's office did not have a single one to lend Fritz, and if there had not been a single tape recorder anywhere else in the Dallas city, county or State offices, they were sold, even in corner drug stores, and they were quite inexpensive.

So, first we have the police trying to get a confession it would not have recorded - and this after Oswald's ^{low} public and reported protest of "police brutality" yet, and then we find that while its people did make notes on their questioning of Oswald and of his responses, they just destroyed their notes. Each and every one of them.

As a result, we are limited to what the police say they later put on paper of what Oswald said in response to their versions of the questions they say they asked him.

It would be nice to know when the police decided to get rid of the historically and legally important notes. Was it, for example, after Oswald was killed, after the police knew there would not be any ~~trial~~ of Oswald at which they'd have to validate their testimony from their contemporaneous notes?

As it is, those present at the questionings give inconsistent accounts of what he was asked and said.

patina of science with the purpose of obscuring the purpose of placing him on the sixth-floor of the Texas School Book Depository the evidence be damned.

Wm W. J. (4) Oswald's alibi

The police destroyed or otherwise did not keep transcriptions of its interrogation of Oswald, so we do not ~~really know what he said to them. The official present on the several occasions gave different reports of what he said,~~ But throughout them runs a consistent thread that he told them he ate lunch in the lunchroom on the first floor, the domino room where Givens originally had placed him. Oswald reported seeing two Negro employees walking together. One he named Junior, the other he described as short, but would recognize if he saw him again.⁷⁵

James "Junior" Jarman and Harold Norman, the two, independently of Oswald's comments and without knowledge of them, told authorities they twice got together in the lunchroom. They met once between 12:10 and 12:15 and again from 12:20 and 12:25.⁷⁶ The coordination of Oswald's account and their stories provide Oswald with a solid alibi. The Report failed to relate this aspect of the evidence, although on several occasions it used Oswald's alleged comments made while in detention against him.

(5) Oswald in the window

Only one witness ^{allegedly} put Oswald in the easternmost window of *the sixth floor*

the School Book Depository during the assassination, Howard Leslie Brennan. He was an impossible-to-believe figure, an in-court disaster, a man who, ^{outside of a court of law} in normal conduct of affairs would have been rudely dismissed ^{as a witness in a trial he would have been} and ~~in a court of adversarial law~~ ^{subverted and then crushed} crushed by even a novice attorney during cross-examination.

Yet the Commission lauded his testimony, ^{of which Ford, the} one commissioner who ^{with first un-elected} became President of the United States, called him the most

important witness the Commission had! 77

^{been sitting on low} Brennan ~~sat~~ on a ~~small~~ brick wall on the south side of Elm Street ~~120 feet~~ directly across from the alleged assassin window, ^{and 120 feet from it, watching} and ~~watched~~ the Presidential Motorcade. He testified, said the Report, "that Lee Harvey Oswald . . . was the man he saw fire the shots from the sixth-floor window of the Depository Building." 78

^{testified that} He saw ~~the man~~ during the 6 to 8 minute period before the assassination ^{he saw a man} leave and return to the window "a couple of

times." ^{said he} He glanced up to see the man aim for the third shot, ^{while} standing with a rifle braced on the windowsill. ^{He said that after firing the} The man stood, rested against the left window sill, fired.

^{third shot the} ^{men} lingered, and ^{that} disappeared. Brennan also ^{said he} saw three black men

^{alleged assassin.} ~~employees~~ on the fifth-floor, ^{below} peering out of a window ^{below that of}

He described the man on the sixth-floor for the Commission which, the Report said, matched the description of Oswald. ^{insert}

What was the reality? He testified to a physical impossibility when he said the assassin stood to shoot. 79 A shooter would have to fire through the dirty double panes of glass to stand and fire. The Commission apologized for him by noting the assassin knelt and Brennan mistook the stance

Brennan's was a ~~Mutt~~ and Jeff ~~was~~ "match." His description of the man he said he saw is feet tall and weighing ~~ing~~ pounds
Oswald was five feet nine inches tall and weighed 135? pounds.

To the Commission's certain knowledge, Brennan testified to a physical impossibility. The windowsill on which the allegedly standing man rested his rifle was only 17 inches (check number to be sure) ^{above} from the floor. Even a shrimp among dwarfs would not have been able to rest a rifle/a foot and a half above the soles of his feet and still be standing ^{upright} when he fired it.

Moreover, had the alleged assassin not been ~~stunt~~ a dwarf but had been, as Brennan ^{swore}, ~~five~~ two feet, inches tall, had he fired a rifle while standing he would have surpassed the fabled Harry Houdini ~~at that time~~ for he would have fired a bullet through two thickness of glass and left no hole in either pane, the lower half of the window being raised.

The brothers Grimm had nothing on Howard Brennan!

The desperate Commission, having no other "witness" to the shooting, sought to apologize fro Brennan and to explain his mythology into reality by stating that ~~Brennan~~ Brennan's candidate for assassin was really kneeling, not standing, and he had fired the rifle from a kneeling position.

This required a choice of ~~magics~~ ^{alchemy?} depending on whether or not this assassin of mythical prowess was leaning forward; either he had to have been able to see through the solid wooden bottom of the raised lower half of the window while he sighted the fatal shot or that he not sight ^{ed} the rifle at all and merely ^{made a perfect} guessed in pointing it while making his guess on what he saw, with the rifle below the bottom of that lower half of the window while peering through the dirty pane of glass.

Either way, Houdini is put to shame and the Commission has invented a new science.

And this without regard to Brennan's sworn attributions of ^{even} greater mythical prowess to his assassin who ~~had had~~ has no equal in either history or mythology, that his standing assassin also sat "sideways on the windowsill. ... I could see practically

see
his whole body, from his hips up."⁸⁰

The Commission's only eyewitness who "identified" Oswald as the assassin also had x-ray vision because Brennan ^{was} looking up from 66 feet below that windowsill and his assassin was inside the building that had a ~~mix of brick and concrete~~ a very thick wall, about 16 inches thick. Brennan had to see through ~~these bricks~~ all that thickness of solid bricks to see what he ~~swore~~ swore he saw.

and this is to say nothing about the fact that had his assassin been sitting on the windowsill he'd have been outside the window, which had no sill on the inside of the window.

Brennan certainly was a see-er to have seen what he swore he saw and the Commission credited *him with seeing*

But his sitting assassin would not have been a see-er because the bottom of the ~~lower~~ raised half of the window, solid wood, would have been ^{in front} before the assassin's eyes ^{and} he'd have seen nothing *else*.

But didn't "Brennan alone" see enough for them both? *Get the "Saw" even more!*

as the Commission in its Report said, as quoted above, Brennan "saw" the shots "fire(d) from the sixth floor window..."⁷⁸ But when in his testimony Brennan was

asked by Commissioner John J. McCloy, "Did you see the rifle discharge, did you see the ~~recoil~~ recoil or the flash?" Brennan responded with an emphatic "No."⁸²

^{to the Commission} Having denied seeing the shooting the Commission in its Report said he had testified to seeing, Brennan stated both explicitly and by inference in later interviews, the Report having made a celebrity of him and his vision, that he was watching the sixth floor when the last shot was fired. Brennan added a new dimension to vision when he told CBS News in August, 1964, what he had to have seen from behind his ear on the left side of his head, that "The President's head just exploded"⁸³ when the last and fatal shot hit him.

Not even an eagle was ever endowed by nature with such vision - The eagle is Brennan on his head. It could see more than 90 degrees simultaneously and directly to the front while looking and seeing down and to the left simultaneously and with such remarkable clarity. and the distances, ^{plus up} the assassin was 66 feet in the

for a kneel, but this is not true for he stated prior to 12:30 the gunman stood and sat "sideways on the window sill.

. . . I could see ~~practically his whole body, from his hips up.~~⁸⁰

Nor did Brennan see the rifleman shoot. Commissioner McCloy asked Brennan during his testimony "Did you see the rifle discharge, did you see the recoil or the flash?" To which Brennan gave an emphatic, "No."⁸¹ Brennan stated explicitly and by inference in later interviews ~~that~~ he was watching the sixth-floor when the last shot was fired.⁸² But in August 1964 he told CBS News that "The President's head just exploded."⁸³ He could not have been viewing the assassin and the President at the same time. He lied.

In the middle of the afternoon Brennan went home, viewed Oswald twice on television, then went to the police station where he swore he could not pick him from the line-up.⁸⁴ Then he admitted lying to the police a few weeks later and said it was Oswald.⁸⁵ Then he vacillated, then he swore it was.⁸⁶ To the claim of Brennan that fear of a Communist plot made him lie the facts of his activity prove that to be a contrived scheme to enable him to explain his untruthfulness. He swore in affidavit before the November 22 line up that he could identify the man he saw; he knew that others were being interviewed as witnesses and he was not alone; he spoke with press, appeared on television, and was featured in an October 2 issue of Life magazine--none of which is the mark of a man afraid.⁸⁷ But this aside the extraordinary fact he saw Oswald

air and about 120 feet from Brennan's front eyes while his victim was a little farther from Brennan's side-of-the-head, back eyes, *down hill from Brennan and his back*

Just imagine what Brennan could have "seen" if he had not required new eyeglasses! **

(you can get the cite from WW)

Brennan's alleged description of the alleged assassin that he saw/ did not see,

fire the fatal shot having been broadcast by the police, Brennan went home, viewed

Oswald twice on TV, and then went to the police station to pick his assassin out in a

84

lineup in which from all other accounts identification of Oswald was virtually automatic, *(and guaranteed)*

Brennan insisted that he could not identify the assassin in the lineup arranged by the police

for Oswald to be unmistakable. — **

A few weeks later *Brennan* *he* claimed to have lied at the lineup and did "identify"

Oswald to the police. 85

(YOU next say what I do not understand, " Then he vacillated, then he swore it was. " 86)

As Brennan could "see," so also could he "explain." What he "explained" is his statement to the police at the lineup the evening of the assassination, that he did not recognize the assassin in their lineup. It was, he said, because he feared he'd have been killed by "communist" plotters. How did he know? The Secret Service told him! —**
Again, get cite from WW)

Having been told by the Secret Service that he was afraid of a Communist plot that would kill him, *thereafter* Brennan was only selectively afraid. He spoke to the press, he was interviewed on TV, he was featured in the October 2 issue of LIFE magazine, and of course, he was a *star* featured witness before the Commission, which was to add to his public fame in its report and in publishing his testimony. In all he was a brave and entirely unafraid man. His fear was limited to the evening of the crime, when he refused to *said he would not* identify Oswald and swore to his inability. That was the one and only time his fabulous vision failed him: he had after the assassination and before the lineup, see ⁸⁷ Oswald twice on TV. No wonder he could not identify him!

Incredible as Brennan's vision (and visions) were, for some reason and a reason it

Brennan's

reason in its extremity the Commission validated, it lacked complete faith in this truly remarkable and entirely unequalled vision. To be able to accredit Brennan's genius, the Commission staged a re-enactment. Here "staged" is not a figure of speech. The Commission counsel who handled it, David Belin, later headed the Rockefeller Commission that was appointed by President Ford to investigate and report on the CIA's excesses. Ford got his lasting appreciation of Belin's rare talents when they were associated on the Warren Commission. (Belin even later authored two books in each of which he said the Warren Commission was right simply because it said it was right and all else, all other authors, ^{and these authors} were wrong, ~~were commercializers and sensationalists.~~ To prove that the Warren Commission was right because it said it was right Belin limited himself to what he selected of what the Commission published. ~~He entirely ignored about a quarter of a million pages of records the FBI had been compelled to disgorge by Freedom of Information Act lawsuits it had resisted with all the efforts it could make in the federal courts.)~~ ^{staringly}

The southern face of the TSBD building, the one Brennan was facing, that is, with those of his eyes ^{not where} in the front of his head, had 84 windows, arranged in pairs. ^{Two windows shared a bump, then two more, etc.}

Taking a page from the police lineup book, the Commission staff, with Belin the honcho on the deal, ^{arranged to make the} ~~sought to make proper identification~~ ^{they wanted} automatic. But in this, alas, as we soon see, ^{they} ~~it~~ underestimated Brennan's vision. It was arranged for all ^{84 windows} ~~except these~~ ^{those} windows required for automatic identification to be closed. That should have made it easy for Brennan. ^{Brennan being Brennan, it didn't} ~~Or, more correctly, for anyone not like Brennan, because~~ ^{event that} ~~event that~~ ^{heart dead} he loused up.

On the sixth floor the only open windows were the easternmost pair, the easternmost of those two being the one from which Brennan swore he saw/did not see the fatal shot fired. On the fifth floor, the three black employees were at three of the four windows in the ^{two} easternmost pair, the first, second and fourth easternmost. (This requires clarification, as from left to right, and I'm not taking the time to check) Three employees, three ~~widow~~ open windows, simple arithmetic. But not for Brennan, who had sworn to what he said he did see.

In directing Brennan to ~~mark~~ encircle on the large print of the picture he handed Brennan the windows in which the assassin and the three black men were, Belin made a broad hint about openness.

Brennan took the hint. and how he did!

With the three employees he saw in each of three open windows, at least in his testimony, he encircled only, the single closed window of that ^{two} pair of windows!

The hint fresh in mind with regard to the assassin, one man at one open window, whether standing or kneeling, still one man at one window, Brennan encircled both of the pair of easternmost windows on the sixth floor. 88

One man simultaneously in two open windows and three men simultaneously in the one closed window when the correct three were opened / This is the real Brennan and Belin's staging is the real Belin and the ~~the~~ real Commission.

What alone is unreal is that this was the official investigation of that most subversive of crimes in a society like ours, the assassination of a President of the United States, a crime that regardless of the intent of the perpetrator or perpetrators has and has to have the effect of a coup d' etat. It is a crime that makes a banana republic of our country.

Brennan, the sole claimed eyewitness, and the Commission's handling of him and his testimony, constitute one of the very best of the very many illustrations of this being a banana republic commission making a banana-republic investigation.

lunchroom of the Texas School Book Depository and poked his
pistol into Lee Harvey Oswald's belly. ⁹ Could Oswald have ^{finished}
^{12/16 hrs} fired a rifle on the sixth floor, ^{Made from the front east to the rear west of that floor, hidden the rifle}
(descended the stairs, and ^{for Baker to see the door closing on him?}
walked into the lunchroom in time to ~~have met Baker?~~ The

Warren Commission spent much effort to describe and time the
^{in attempting to make it appear to be possible,} episode ^{prove it did happen}
~~for it was in a quantry.~~ If it could not nail this
^{then on this basis, too, it} answer ^{with an affirmative} yes the whole structure of its
elaborate story ^{of} with Oswald ^{as} the lone assassin would ^{crumpled into the empty} tumble to
^{empty} pieces.

The Warren Report states ~~Patrolman M. L. Baker~~, ^{that} on a two
wheeled motorcycle trailing the last press car in the
motorcade, heard three rifle shots. "After the third shot"
he ^{Gunned his motor cycle?} drove to the northwest ^{parked it there and let} corner of Elm and Houston, ~~and~~
~~entered~~ ^{into} the lobby, ^T where he bumped into Superintendent Roy
Truly, who led him across the ^{first} floor to the northwest corner of
the building to catch ^{one of} the elevators and go to the top floor
where Baker thought the shots might have come from. Since
unclosed doors stuck the elevators on the fifth floor they ^{ran}
~~took~~ ^{up} to the adjoining stairs, Baker following Truly.

On the second floor a small open area around the stairs
had a door at the east [?] end. The door ^{operating with its automatic closure, not} with a tiny glass
window ^{it} opened into a vestibule. Inside in the vestibule's
[?] east wall an always-open door led to the lunchroom where a
Coke machine stood along the north wall.

From twenty feet away the stair-the ascending Baker
glanced through the small window of the closed outer
vestibule door and glimpsed a figure "walking in the

17
17
R

vestibule toward the lunchroom." Baker rushed in, crossed the room, stood in the open lunchroom door, saw a man near the Coke machine and commanded him to "come here." The "startled" man came, stood in front of the officer who pushed his revolver into the man's midsection. The man was "not out of breath; he seemed calm." He held "nothing in his hand."

In the meantime Truly, ^{rushing up the stairs to the third floor} having missed Baker behind him ^{Truly rushed down the stairs and} appeared. He identified the man as Lee Oswald who worked in the Depository, ^{employee. He and Butler returned the rush toward the roof} The pair left and continued up the stairs.

Oswald, the Report said, ^{got} punched out a Coke and left through the lunchroom's south door. Employee Mrs. Reid at 12:32, sitting at her desk in the large room, watched him amble diagonally across the floor to the other stairway in the southeast corner which led to the first floor and the front door of the Depository. He departed into the crowd.

as I remember her it states account how Oswald with a started with in his hand when Baker rushed up to

To determine if it were possible for Oswald to have shot from the sixth-floor, gone down the stairs, and into the lunchroom in time to meet Baker the Commission ^{its} staff and Secret Service agents conducted two tests. On the first they found Baker took 1'30" to reach the lunchroom and the second 1'15". On the first reconstruction they ^{calculated that} deduced Oswald would have required 1'18" to ~~move~~ across the sixth-floor, come down the stairs and be in the lunchroom ^{7:40} on time. The second test determined he could have done it in 1'14". As a result of these tests the Commission concluded that "Oswald could have fired the shots and still have been present in the second-floor lunchroom when seen by Baker and Truly"⁸⁹

accident
with office

When we go into the factual base of the meeting between Baker and Oswald we discover an entirely different picture. Oswald could not have shot a rifle on the sixth-floor and gotten to the second-floor in time to have met Officer Baker. Consequently he is excluded from having been the assassin of President Kennedy. The evidence is as compelling as it is conclusive. But equally credible is the evidence that the Commission staff and the Secret Service agents falsified the reenactment to fit their much desired conclusion necessary to the official solution to the murder.

They stretched out the time it took Baker to get there. One way was to begin
Officials slowed down Baker's arrival time. The test started timing him ^{when} after the first shot⁹⁰ when in fact Baker testified he moved at the sound of the third shot.⁹¹ Since the Commission estimated the shooting sequence consumed 4.8 to 7 seconds we must subtract ^{at least} 4.8 seconds from ^{the} estimated time of Baker's arrival.⁹²

In the first simulated test Baker moved at a walk into the Depository.⁹³ In the second at a "kind of a trot."⁹⁴ Neither ^{is} ~~are~~ correct. Employee Eddie Piper standing outside the Depository testified before the Commission that the police officer ran.⁹⁵ Others present told of the officer bowling people over as he made a mad dash to the entryway.⁹⁶ But proof from a motion picture known to the staff but not used by them to peg the factual background in reality puts the speed of Baker at a fast clip. Professional cameraman Malcolm Couch in the camera car of the motorcade made a pan of the building and the people. In it Baker's motorcycle is

seen on the grass where he swore he left it. The time is within ten seconds of the assassination, meaning Baker flew into the building.⁹⁷ This faster time reduces by ten seconds the official test time.

We must also diminish the time by another five seconds imposed on the scene by Roy Truly's actions. He led Baker up the stairs⁶ and did not see the vestibule door closing ^{if} Oswald had descended the stairs he had to have come through it.⁹⁸ Baker came about five seconds behind him. He did not

see the door closing either.⁹⁹ Since the door operated with an auto-closure device requiring several seconds pause to slowly shut ^{It closed the door slowly. This required more time. not} we must subtract another five seconds for the closure mechanism to work.¹⁰⁰ ^{had to take more}

What we find is the total of the time reductions add up to 24.8 seconds providing us with a time of arrival for Baker of 1 minute 4.2 seconds.)

On the other hand the staff slowed Oswald down to accommodate the meeting.¹⁰¹ Timing began after the third shot,

but this is an error for the rifle contained a chambered fourth round requiring ^{at least} another 2.3 seconds to load.¹⁰² The official procedures did not incorporate the leisurely motion witnesses outside the building attributed to the man in the window who, after shooting, waited several seconds before withdrawing.¹⁰³ Five seconds must be added to Oswald's time.

We also must add another five seconds to enable the fleeing assassin to scale the shield of boxes behind the sniper's window.¹⁰⁴ No opening existed to move through quickly and one

would have to go over the top. Oswald would have to have used only elbows, shins, and chin too scramble up and over ^{twice because} ~~for~~ ^{as well} no finger prints appeared on the many boxes and Oswald did not use gloves.¹⁰⁵

^{5 seconds?} We tack on another five seconds to the official tally to enable the shooter to wipe the rifle clean of prints.

Experts found no prints on the visible parts of the weapon,

the clip or the empty casings.¹⁰⁶ Commission staff and Secret Service Agents ignored this. ^{Then} ~~But~~ ^{still more} they gained the ~~most~~ time by ~~deleting~~ ^{eliminating} the time required to hide the rifle. When

originally discovered the Mannlicher-Carcano lay on the floor <sup>has been placed covered by an up-
side to the hollow square of book</sup> beneath cartons stacked on it surrounded by an island of five ^{cartons appears to be about five feet high} foot high book boxes.¹⁰⁷ ~~From contemporary photographs and~~

^{Crime scene search and how} witness testimony we know the ~~masking of the rifle from view~~ <sup>hiding of the rifle would have required
and its staff eliminated this time permit</sup> took many seconds.¹⁰⁸ The Commission staff resolved this time ~~con-~~

<sup>struction by having the Secret Service stand-in for Oswald hand the rifle
to another Secret Service agent who was already inside that square of
book cartons; 109</sup> ~~stand-in for Oswald simply hand-off the rifle to a Secret
Service Agent who handed it over the wall of cartons to~~

~~another man who merely placed it on the floor.~~¹⁰⁹ No finger prints were discovered on the boxes. To scale the box wall, move the heavy cartons of books, place the rifle, move the cartons back over it, re-scale the boxes all by elbows, knees, and chin must have taken at least 20 seconds, a low number.

~~For~~ ^{we} yet another omitted portion of the reconstruction ~~we~~ <sup>requires more time not
accounted for.</sup> add five seconds. Three witnesses on the fifth-floor testified they heard nothing at all on the sixth-floor

following the shooting.¹⁰⁹ Since the rough flooring and good acoustics enabled them to hear even the empty casings being ejected from the rifle above them during the shooting we must accept this evidence as particularly valid, even though the Commission ignored it.¹¹⁰ Oswald's movements across the floor would have had to have been at a slow walk, not the brisk pace of the simulation.

We must add a final component of the Coke Oswald held when confronted by Baker. The Report insisted he did not have one, but this is not a valid reading of the evidence. Both Truly and Baker originally said he had a Coke in his hand. Baker gave a handwritten statement the day before the Report was printed where he noted the presence of the Coke in Oswald's hand, only to mark it out before handing it in.¹¹¹ The original story out of Dallas, noted critic Sylvia Meagher, had both Truly and Baker saying Oswald held a Coke in his hand. Chief of Police Jesse Curry announced it too in a press conference on the 23d.¹¹² Surely to stand before a machine, search and fiddle with a coin, insert it, pull or push the mechanism, wait for the bottle to dispense, pull it out, must take fifteen seconds. Added to the total of omitted times we arrive at a final computation of Oswald's time of 2'.11.3".

Subtracting Baker's real time from Oswald's real time we must conclude Officer Baker arrived at the second-floor lunchroom 1.'07.1" before Oswald could have arrived if he had been on the sixth-floor.

OFFICIAL AND REAL TIMES
Of Officer Marrion Baker and Lee Harvey Oswald's
Movements leading to their 2d floor meeting.

.....
M. L. Baker's Movements Reconstructed

| | | | |
|-----------------|--------------------------------------|----------------|---------------|
| <u>Official</u> | place start | 200' from TSBD | |
| | time start | first shot | |
| | MLB pace | walk/trot | |
| | Time lapse: trial A: 1'30"; B: 1'15" | | |
| | | | |
| <u>Real</u> | place start | 84' from TSBD | adjust. |
| | time start | last shot | -4.8" |
| | MLB pace | run | adjust. 10.0" |
| | Truly's lead on stairs | | adjust. 5.0" |
| | Mechanical door closing | | adjust. 5.0" |
| | | | -24.8" |

corrected (real) time on MLB arrival:
1'30" - 24.8" = 1'04.2"

.....
L.H. Oswald's Alleged Flight Reconstructed

| | | | |
|-----------------|--------------------------------------|-----------------|---------------|
| <u>Official</u> | time start | after 3d shot | |
| | flight path | unimpeded | |
| | rifle | placed by other | |
| | pace | brisk/run | |
| | Time lapse: trial A: 1'18"; B: 1'14" | | |
| | | | |
| <u>Real</u> | time start | 4th chambered | adjust. +2.3" |
| | leisurely | slow withdr'l | adjust. 5" |
| | rifle | wipe clean | adjust. 5" |
| | flight path | obstructed | adjust. 5" |
| | rifle | hidden | adjust. 20" |
| | LHO | slow walk | adjust. 5" |
| | LHO | draw Coke | adjust. 15" |
| | | | +57.3" |

corrected (real) time on LHO arrival:
1'14" + 57.3" = 2'11.3"

.....
Real Time Conclusion

2'11.3" Officer Baker arrived and met L. H. Oswald on the
-1'04.2" second floor 1'07.1" before Oswald could have
1'07.1" arrived if he had been on the sixth-floor

The measurements do not stand alone the testimony of three employees sustain the real times. On the fourth-floor Victoria Adams and Sandra Styles watched the motorcade pass, heard the shots, and "immediately" descended the stairs to the first floor. Adams saw or heard no one.¹¹³

The staff ignored Styles and did not in anyway seek her information, an inexplicable act for attorneys seeking to know what occurred in those minutes.¹¹⁴ Jack Dougherty worked on the fifth-floor near the elevators, and the stairs and he did not see or hear anyone on the stairs.¹¹⁵ Oswald would have had to have been on those stairs and be heard running down them if he had shot President Kennedy. No other construction of the evidence is possible. He was not on them

Since the meeting between Oswald and Baker occurred--it is beyond dispute--it exculpates Oswald from having murdered the President. The fudging of times, manipulation of actions, and the omision of key data in the Commission's examination and simulation of the episode rests on its predicate of the guilt of Oswald.

Because three men did hear what they thought was the sounds of shells being ejected and dropping to the floor it is apparent that they also would have heard the ~~sound~~ ^{thump made by} a man ^{for his life} running across the floor above them. They did not. It therefore is apparent that if Oswald had been there and left, he did not leave running but walked slowly enough not to make any ^{detectable} noise. Neither of the Commission's re-enactments was consistent with this. Both had a man going fast.

Oswald with a Coke also created major problems for the Commission and its re-enactment. Although the Report states that he did not have a Coke when Baker and Truly saw him, the Commission had impartial evidence that in fact he did in fact have the Coke before Baker and Truly saw him. Baker himself signed a statement to this effect the day before the report was printed. And as the ^{oldest} ~~noted~~ Commission critic, the late Sylvia ^{Magher} noted, the ^{first} ~~earliest~~ reports out of Dallas - before there was a Commission - quote both

Baker and Truly as saying that Oswald had a Coke in his hand when then encountered him ^{of the missing in the Commission's final report which is the time consumed at the} (Something you missed or I recall incorrectly - check Whitewash. I did-110-2) ^{deception}

The dishonesty of this reconstruction is not the Commission's only assault on its ^{and on the nation's honor} own integrity in its handling of this incident. It not only had to make it appear to be possible that ^{could my the bottle} Oswald could have been the assassin and get into the lunch room with the Coke machine before Baker and Truly got there - which also means not being seen by Truly as he ran up the stairs the Commission says Oswald came down, ^{innumerable} another time considerations omitted by the Commission - it had also to get Oswald out of the TSED building less than three minutes after the first shot was fired. The Commission's own reconstruction has him leaving the building by 12:33 p.m. (R155)

Mrs. Robert A. Reid, a Depository employee, had been standing ^{outside the building} on its front steps, ^{after} with her superior, O.V. Campbell. When they heard the shots she ran back into the building and to her office, which adjoined the lunchroom. When David Belin deposed her his time reconstruction ^{let} established the time her run to her office required as two minutes. It thus was at least two and a half minutes after she heard the shots, ^{with Campbell she testified} looked around and saw the crowd reaction to which she testified, ^{she detailed in} and had the brief discussion ¹

sitting at her desk
her testimony, and was in her office. The probability is that it took her more time than *to show.* Belin wanted ~~in~~ the record. But even this *- 07 itself -* overly-condensed time destroys the Commission's reconstruction because, while the Commission could not come up with a single person who saw Oswald leave the building, it was saddled with Mrs. Reid, who saw him after Baker and Truly let him go.

Oswald, she testified, walked into her office with a ~~partially-enclosed~~ *partially-enclosed* Coke in his hand. Her recollection was so clear she specified it was in his right hand.

She also testified to Oswald's appearance at the time he walked *into and out of* through her office and it was not the appearance of anyone who has just committed murder- ~~the~~ the assassination of a President. She described him as walking at a very slow pace and as "calm." (3H279)

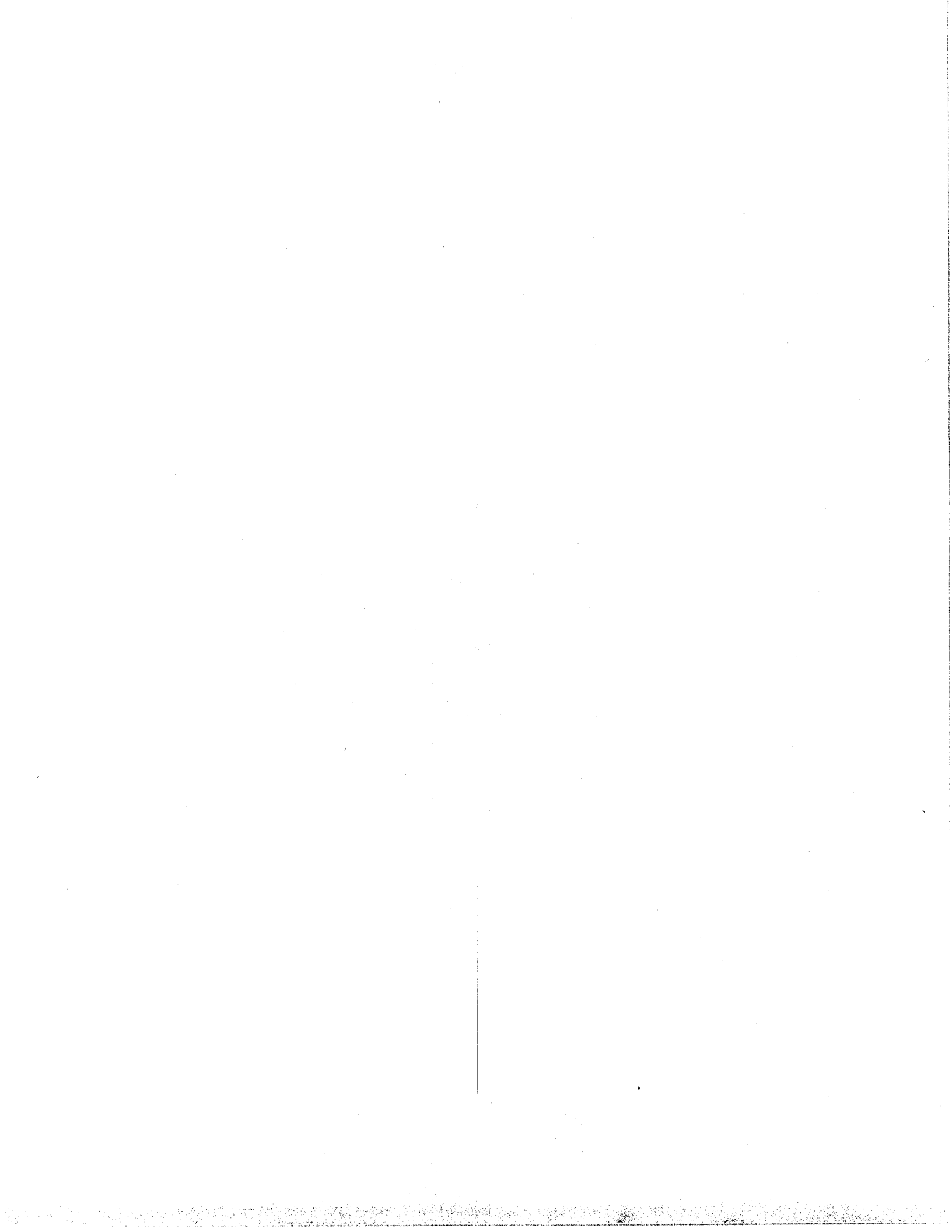
Her testimony is still another fatal blow to the Commission's essential - but also impossible - time reconstruction. That she saw Oswald walking through her office after Baker let him go in itself makes the Commission's conjecture, that he left the building by ~~12:53~~ 12:53 impossible. The Commission had to have him ~~there~~ seven block away and getting into a bus stalled by the traffic jam he had just created, within seven minutes, in itself unlikely *But with out his being made to appear so, the rest of the reconstruction could not* ~~at a walk and had he run he'd have been seen.~~ *even he would not.*

note The Commission also had to have Oswald wearing the shirt shown in the many photographs of him. But Mrs. Reid was specific *and emphatic* in stating that when she saw him Oswald was not wearing any shirt and was in a T-shirt. *Oswald was photographed* Show the shirt in which he was photographed *in Belin's* ~~In an effort to get her to "remember" what she did not remember and insisted wasn't so,~~ She was unequivocal: "I have never, so far as I know, ever seen that shirt." (3H276)

This means that Oswald, from the Commission's own evidence, had to go somewhere else in the building and get that shirt, put it on, get rid of the coke, and be out of the building, beginning in an office on its second floor, in less than a half minute.

There is no innocence here *or* in any of the Commission's *other* reconstructions, those it faked, those it ignored, those it misrepresented, and those it was simply untruthful about in its Report. *they all*

No part of the Commission's reconstruction worked and unless ~~it~~ worked the



Commission itself exculpated Oswald while electing him the lone assassin.

Belin's lusty collaboration with all this fakery is his own characterization, particularly years later when he sold books in which he castigated all who disagreed with him as commercializers, exploiters and sensationalists.

I'm not taking time for your charted time reconstruction now because you do not want to interrupt an exciting story for it, because if your text is adequate you don't need it, and because if you decide you do want it, it needs more and should be in an appendix. You've omitted that they even had the elderly Warren huffing and puffing his Oswald ^{cut} through the sixth-floor reconstruction. That is precious and should be included but I do not have that at hand. I just remember it, but not from where I saw it. *(Was it Sullivan's book?)*

This does not exhaust the Commission's self-destruction in its phony time reconstructions. There is more in its testimony, the testimony of people who had to have seen Oswald rushing down those stairs - if he had been on the sixth floor to begin with. Three are Victoria Adams, Sylvia Styles and Jack Dougherty.

The first two were watching the motorcade from the front windows of the fourth floor. After the shooting they "immediately" went to the first floor, ^{going to the rear of the fourth floor then taking} using the stairs ^{or} which they saw neither Oswald nor Baker and Truly. Sylvia Styles was ignored but Victoria Adams did testify. They just ignored her testimony about not seeing Oswald, Baker or Truly. (At this point, if my recollection is correct, you may want to include what I have in Whitewash II about Adams' testimony about seeing a bullet impact on Elm Street)

Dougherty was working on the fifth floor near the stairs and he also did not see Oswald rushing down them.

There is no question about it - Baker and Truly did see and speak to Oswald in the second-floor ¹⁴⁶ lunchroom. Rather than be a link in the chain of evidence ^{connecting} against Oswald, that they did encounter him ^y actually exculpates him. It is proof positive that Oswald could not have been lurking in the so-called "sniper's den" on the sixth floor and that he could not have been the assassin. ^{just}

The Commission had reason to believe not only that Oswald had not been on the sixth

4
floor at the time of the shooting - it had reason to believe, despite its diligent efforts to avoid it, that Oswald had in fact been on the first floor, possibly on the front ^{steps,} ~~stairs~~ watching the motorcade.

Unless he had been on the second floor all along, there is no other way in which Oswald's unquestionable presence in that lunchroom can be accounted for. *truthfully and honestly*

(Here pick up from Whitewash the nonsense of getting Baker to say that Oswald could not have used the front stairs, from the doorway, to get to the lunchroom.)

No more is needed to leave it without possibility of ~~reasonable questioning or~~ *any question at all,* doubt at all that the Commission's knowingly dishonest efforts to convict Oswald actually exculpated him.

As with all else, there is more. For example, getting back to the impossibility of Oswald's being out of the building by 12:33 pm., which is absolutely indispensable if the rest of the Commission's time reconstructions are to be possible, like his getting on the bus that could not move because of the traffic jam he had created, taking the cab to *two different addresses, neither* ~~several different places that were not his rooming house~~ *and with requiring him to walk to it, from where he left the* ~~instead of to it, etc.,~~ *cab* even making it seem possible that he could have shot and killed Officer J.D. Tippit.

The Commission did not take testimony from Robert MacNeil, now of the PBS MacNeil-Lehrer Report, then a correspondent for NBC News in the motorcade motorcade but well back in it. MacNeil is one of those who left the press vehicles and rushed to the scene of the crime. After taking enough time to learn a bit of what happened he ran into the TSEU building to find a phone and phone ~~the~~ the most important story of his lifetime to NBC News. As William Manchester reported in his Camelot, "Death of a President," the person *directed* who showed MacNeil ~~where~~ *to* the pay phone was - Lee Harvey Oswald! *on the first floor!*

MacNeil was interviewed about this for the PBS "Nova" commemoration of the 25th anniversary of the assassination (date) He told the world what the eminences of the Commission suppressed, that in fact he had been directed to the phone by Lee Harvey Oswald. And that Oswald showed no sign of just having pulled the "crime of the century."

It would have been a complete physical impossibility for MacNeil to have left the press bus so far back in the motorcade, gotten to ~~near~~ *be prepared to* the TSEU, learned enough to wait

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to ~~be able to~~ report it to NBS News, gotten into the building, found one who could direct him to a phone and done all of that in less than three minutes after the first shot was fired. ^{It also} This means that Oswald could not possibly, on this basis alone, have been out of the building and on his way to full ^{appreciation} enjoyment of the ⁿ monster traffic jam, by 12:33, without ~~what~~ which the rest of the Commission's time reconstruction can't be made even to look like it was possible when, in fact, in even the Commission's version the rest of its time reconstructions do not work.

"Truth was our only client," the Commission's still-unrepentent counsel, like Belin, like ~~are~~ ^{are} ~~in~~ Specter, who became a United States Senator from his work on the Commission, like Judge Bert Griffin, say.

They left poor Truth buried in their ignored evidence while they shystered out a frame-up that disgraces us all forever.

Not alone with the trickery of their phonied-up time reconstructions.