LAST TRAIN FROM DEALEY PLAZA

by FRED T. NEWCOMB

A problem for both defenders and critics of the Warren Commission's Report has been where and how the assassins on the grassy knoll escaped after the shooting. Reports by most investigators and spectators indicate no movement of persons fleeing from the scene. This analysis, based upon previously unexamined photographs, offers a solution to this paradoxical situation.

These are the facts. Immediately behind the pergola on the grassy knoll, from which many witnesses thought shots came, was a passenger train on a freight spur. This train left the assassination scene within moments after the shooting and was gone within minutes after spectators entered the yards behind the pergola.

Significantly, one of the photographs was entered into evidence before the Commission—with the train retouched out. This photograph was the only one the Commission printed that would clearly show the train.

THE TRAIN

An aerial photograph of Dealey Plaza, taken in July 1963, shows the railroad spur immediately behind the pergola (pointer in Fig. 1). This spur runs east (to the right). Fig. 2 charts both track and train.

Several photographs taken at the time of the assassination show the presence and movement of the train on the pergola spur.

Miss Wilma Bond took a series of colored slides moments after the shooting. Fig. 3 charts her position in Dealey Plaza and view of the train. (Positions of the photographers and train in the charts were established by photographic triangulation.) The railroad passenger cars can be seen behind the pergola's grillwork, e.g., in Fig. 4.

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Orville O. Nix made a movie film of the assassination scene (Fig. 3 charts his position and view). Fig. 6 is a frame taken during the assassination; Fig. 7 is one taken moments afterwards. A comparison of the two—note the passenger car windows—demonstrates that the train moved during that period of time. A cutaway drawing (Fig. 8), which was made from one of his frames, illustrates its position.

A color movie taken by Mark Bell also shows the train.

A photograph made by Frank Cancellare, minutes after the assassination, reveals that by that time the train had left.

In addition, a prestigious photographic analysis firm, Itek Corp., noted the train directly behind the pergola in its report (which was critical of Commission critics) of May 18, 1967 on Nix's film.

The Warren Commission took no testimony from any of the above individuals. Of their photographs, the Commission published only a few frames of Nix's film. (Ironically, a Commission reenactment photograph made in May 1964 had a train behind the pergola.)

COVER-UP

The Warren Commission was supplied with maps by both the Secret See Page 6
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Service and FBI. The maps in its Report (e.g., Fig. 9) omit not only the spur behind the pergola, but all spurs. Instead, the maps show an imaginary track running in a continuous line from the triple underpass to the rear of the Texas School Book Depository. Furthermore, this is contrary to the Report's own aerial and ground photographs (Fig. 9, bottom). Those photographs, however, are so small that they require magnification to see details.

The cover-up of the train includes tampering with a particular photograph made at the time of the assassination by Philip L. Willis. Willis stood on nearly the same grade level of Dealey Plaza as Miss Bond. Within minutes prior to the time when she took her photographs, he took one (Fig. 10) apparently in reaction to hearing the first shot (arrow points to the President's head). From his position (Fig. 11), the train had to be seen behind the pergola's grillework.

This photograph (Fig. 10), which was used in several Commission exhibits, unmistakably does not show the train! Note the grillework of the pergola (Fig. 12). The background was removed by retouching; the train is missing and the horizon is blurred out. The grilles are crooked and distorted due to this doctoring. When viewed in color, the sky is white behind the pergola, but blue in the tree branches.

The position of the train to Willis' view was established by a jagged vertical line that runs through the grillework (Fig. 12) and also by photographic triangulation. In Fig. 12, I blackened in the area behind the pergola's grillework to demonstrate the location of the train before it was erased.

Willis' re- enactment photograph (Fig. 14), taken in March 1965 from the same position, shows how the background and the grillework should look (compare to Fig. 10). Furthermore, the clarity of his re-enactment photograph, using the same camera, indicates that his assassination photograph (Fig. 10), which the Commission used, is several times removed from the original. The federal government kept his photographs for over a month before returning them altered.

Another individual, Hugh Betzner Jr., stood (Fig. 15) about 20 feet behind Willis on the same side of Elm St. and took a photograph (Fig. 16) a split-second before Willis. A comparison of the 2 photographs demonstrates the extent of the cover-up.
LAST TRAIN

The characteristic tree limb and its foliage in Betzman's photograph (outlined in Fig. 17, left) were in front of the train. Using this tree limb configuration as a reference point, a comparison shows how much foliage was removed from Willis' photograph when the train was painted out. Also compare the limb and foliage in Betzman's photograph (Fig. 19) to Willis' re-enactment photograph (Fig. 14); the entire lower limb has been hocked off. This limb may have been removed so that Willis' assassination photograph (Fig. 10) could not be duplicated to determine how the foliage originally looked in relation to the pergola, thereby preventing an accurate re-enactment.

Cover-up by physical alteration, in addition to the missing limb, has occurred recently. The spur immediately behind the pergola has now been removed according to a 1968 photograph (Fig. 18). With the branch and spur gone, there is no chance to do an accurate re-enactment.

DIVERSIONS

Another train was parked at the back of the yards, some 210 feet behind the pergola (Fig. 19 upper right). This train coincided in alignment with the pergola train, which was some 50 feet directly behind the pergola. In effect, the pergola train would block the view of the parked train for any photographer in a position such as Mrs. Bond's. When the pergola train departed, the parked train could then be used to "explain" the presence of the pergola train.

This diversion was verified by a critic who has made a reputation as an "expert" in assassination photographs. Jim Garrison received my report on the train in March 1968. This critic, however, convinced Garrison that it was incorrect. Then he flew out to California to persuade me that the parked train and the pergola train were one and the same. To do this, he used Cancellare's photograph (Fig. 20 upper). Cancellare took this through the gate of the west shelter of the pergola (Fig. 20, lower) minutes after the assassination; it shows the parked train at the back of the yards. By this time, however, the pergola train—which was on the spur in the foreground (Fig. 20, upper)—had already left.

The perspective also denies that the parked train and the pergola train were the same. Fig. 21 shows the difference. The pergola train was almost parallel to the pergola when viewed from Miss Bond's position. The parked train would vanish away from her eye, off to the north.

Another diversion may be the 3 "arrested" men (Fig. 22). Sgt. D. V. Harkness of the Dallas Police Dept. told the Warren Commission that he pulled some men out of a freight train in the yards and took them to the station. He added that 2 long freight trains that were leaving the yards were derailed. Some people were arrested, taken to the police station, and questioned. The Warren Report makes no mention of them or what happened to them.

This is not the pergola train. First, Harkness refers to a freight train. Secondly, he went to the yard approximately 15-20 minutes after the assassination occurred. The pergola train left within 5 minutes after the shooting, allowing no time for a search.

Lee E. Bowers, Jr., seems to be a key man in diversionary activity. Bowers was in a railroad signal tower overlooking the tracks behind the grassy knoll during the assassination. Supposedly, he was in charge of all rail traffic in the yards. Bowers told the Commission that he saw 3 automobiles enter the yards within a half hour before the assassination; one he claimed entered "7-9 minutes before the shooting." In terms of time, it is doubtful that the pergola train was rushed into position moments before the shooting. Therefore, the pergola train would have blocked any automobile entry into the yards.

Furthermore, Bowers described 2 men behind the fence on the grassy knoll. His testimony is questionable because the pergola train would have blocked his view of the area. Bowers was 14 feet from the ground in his tower, the train's height was also 14 feet.

Regarding the 3 arrested men, Bowers, in an interview with critic Mark Lane, mentioned stopping a freight train opposite his tower and seeing the state-tows of 3 "wimps" by police. He claimed that the freight was surrounded by "possibly 50 policemen with shotguns and tommy guns." No police had tommy guns that day; they either had service revolvers or pump shotguns. Secret Service men had automatic weapons, but, according to the Warren Report, no Secret Service men left the Presidential motorcade.

HIGH-LEVEL PLANNING

The presence and timing of the pergola train suggests not only a careful and complicated plot, but one conceived at a high level. Indeed, who had the power to order a train (if the second, who could have had its movements coordinated to the time of the assassinations) 1) to enable the assassins to escape and 2) to set up diversionary trains (passenger and freight) both for the purposes of photographic analysis and...
by Richard Underwood

The following information was garnered from a file on the Placement Center in Vice Chancellor Goodspeed's office. Although the information readily available to the students who are able to present themselves in a responsible manner and gain the permission of the original administration recipient of the material, it would seem that an administration truly serving the students would actively publicize such facts. The first letter to Dr. Goodspeed is from University Assistant Counsel George L. Marshland:

"This is in reply to your letter and enclosures about the use of the Placement Office facilities which I received on February 1, 1948. The Academic Legally Council has adopted a resolution which 'strongly recommends that the University facilities, specifically the Placement Center, prohibit any company or business interest which practices discriminatory hiring and/or employment policies, whether financially or morally.' The resolution also recommends that this prohibition be extended to the use of Placement Center facilities for employment interviews and the circumstances under which these interviews are permitted. Moreover, the resolution specifically asks that the Office of the Placement Center be expanded and that the University administration truly serve the University in a responsible manner so that persons of good intent can be given the opportunity to participate. This is the constitutional principle of equal protection of the laws which requires that the University not discriminate arbitrarily and unnecessarily in permitting the use of its facilities.

"The Fourteenth Amendment to the Constitution provides, in relevant part, that any state shall 'deny to any person within its jurisdiction the equal protection of the laws.' As an agency of the State of California, the University is subject to the limitations imposed by the equal protection clause of the Constitution. Further, corporations are as much entitled to its benefits as are natural persons (United States v. Lee, 1933). The University, however, is not a 'person' as that word is used in the equal protection clause (U.S. v. Negro, 1950). As a result, none of University facilities for employment interviews may be denied the Federal Government...

"Where the equal protection clause is applicable, it guarantees equality under the same conditions to persons similarly situated. Reasonable classification of corporations is permissible as long as the discrimination resulting from the classification is substantially and reasonably related to a legitimate object to be accomplished thereby.Generally speaking, an improper classification is one which excludes a particular privilege of imposes a particular restriction upon a class almost arbitrarily selected from a larger group of which all stand in the same relation to the privilege or burden imposed, and between whom and whose privilege or burden is favored or burdened no reasonable distinction or administrative classification can be found to warrant the inclusion of the one and the exclusion of the other..."

THE 14TH AMENDMENT

The first letter to Dr. Goodspeed was written by George L. Marshland:

"It is written in response to your letter and telephone request that the comment concerning the legal significance of use of University facilities by business and governmental interests for employment interviews and the circum-stances under which these interviews are permitted..."

The letter continues discussing the legal implications and the significance of the University facilities for placement activities.

personnel friends

The second letter to Dr. Goodspeed is from Robert O. Collins, Director of the Office of Planning, and reads:

"The University of California's Placement Center is a matter of University concern. The manner in which certain placement activities are conducted on campus is a matter of University concern. The University is not legally obligated to permit use of University facilities for placement purposes because the use of University facilities is essentially an administrative privilege..."

The letter goes on to discuss the legal implications and the significance of the University facilities for placement activities.

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