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DEALEY PLAZA CONSPIRACY WITNESSES

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Staff Report  
of the  
Select Committee on Assassinations  
U.S. House of Representatives  
Ninety-fifth Congress  
Second Session

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## CONTENTS

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	Paragraph
Foreword -----	(1)
I. Presence of two men in the upper floor windows of the Texas School Book Depository -----	(3)
II. Presence of possible gunman on grassy knoll -----	(24)
III. Accounts of persons fleeing from Texas School Book Depository -----	(34)
IV. Accounts of persons fleeing Dealey Plaza -----	(44)
V. Accounts of bullets hitting Plaza area -----	(109)
VI. Accounts of smoke in Dealey Plaza at the time of the shots -----	(126)

## FOREWORD

(1)\* In addition to the information from witnesses regarding what they heard in Dealey Plaza at the time the shots were fired at the Presidential motorcade, the committee examined the statements of witnesses in the Plaza, who provided information about the possibility that other individuals were present in the area who may have been involved in the assassination. The committee attempted to locate each of those persons; the search was hampered, however, to a great extent since the last known information on their addresses and whereabouts often dated back to 1963 or 1964. Nevertheless, each witness who was located was asked to read all prior statements he had made to the Warren Commission or law enforcement officials in connection with the assassination and then to indicate in an affidavit prepared by the committee whether those statements were a complete and accurate record of the information related by the witness. Each witness was given the opportunity to either refute, correct or delete inaccurate information contained in the statements and testimony.

(2) In the case of those witnesses who could not be located, the committee still examined their existing statements to form an opinion about the nature of the information provided as it related to what had been verified by other witnesses.

### I. PRESENCE OF TWO MEN IN THE UPPER FLOOR WINDOWS OF THE TEXAS SCHOOL BOOK DEPOSITORY

(3) Three witnesses gave statements to law enforcement agencies after the assassination that they saw two men at the sixth floor window of the Texas School Book Depository (TSBD) from which they believed the assassin had fired.

(4) In an FBI interview on December 5, 1963, Mrs. Ruby Henderson related that at the time of the motorcade, she was standing on the east side of Elm Street "just north of Houston Street."*(1)* She said that right after an ambulance left the area with a man who had suffered an epileptic seizure, she looked up at the Texas School Book Depository; she saw two men in the window on one of the upper floors.*(2)* She could not recall exactly which floor they were on, but stated that she did not recall seeing any other persons on any floors above the two men.*(3)*

(5) Mrs. Henderson described one man as being dark-complexioned, possibly either Mexican or Negro.*(4)* That man had dark hair and a white shirt.*(5)* The other man was taller and was wearing a dark shirt.*(6)* According to the FBI report, she also said that "she could

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\* Arabic numerals in parentheses at the beginning of paragraphs indicate the paragraph number for purposes of citation and referencing; italic numerals in parentheses in the middle or at the end of sentences indicate references which can be found at the end of each report or section.

not definitely state that one of the men \*\*\* was not a Negro." (7) Mrs. Henderson said she only saw the men from the waist up and therefore could not further describe their attire. (8) They were standing back from the window, but looking out toward the motorcade. (9)

(6) Mrs. Henderson said she saw the two men in the window before the motorcade reached the corner of Elm and Houston Streets, but did not know how much before it reached the corner that she saw the men.

(7) Mrs. Henderson was not called to testify before the Warren Commission.

(8) Mrs. Carolyn Walther was interviewed by the FBI on December 4, 1963, and stated that at the time of the motorcade, she was standing on the east side of Houston Street, about 50 or 60 feet south of the south curb of Elm Street. (10) After the ambulance left with the epileptic, Mrs. Walther looked up at the windows of the Texas School Book Depository and saw a man in the southeast corner window of the fourth or fifth floor; according to the FBI report, Mrs. Walther was "positive" the window was not as high as the sixth floor. (11) She described the window as being the "most easterly" on the south side of the building. (12)

(9) Mrs. Walther said the man was holding a rifle in his hands; the barrel of the rifle was pointing downward and the man was looking toward Houston Street. (13) Both his hands were extended across the window ledge. (14) She described the man as having light brown or blond hair and wearing a white shirt. (15) She described the rifle as having a short barrel and being possibly a machine gun. She noticed no other features of the rifle. (16)

(10) Mrs. Walther said also that she saw at the same time a second man standing in the same window to the left of the man with the rifle. (17) This man was wearing a brown suit coat; she could only see his body from the waist to the shoulders and his head was hidden by part of the window. (18)

(11) Mrs. Walther told the FBI that almost immediately after she saw the second man in the window, the presidential motorcade approached on Houston Street. (19)

(12) Mrs. Walther was not called to testify before the Warren Commission.

(13) Arnold Louis Rowland testified before the Warren Commission that he and his wife standing near the corner of Houston and Main Streets at the time of the motorcade. (20) Rowland said that at about 12:15 p.m. he looked up at the Texas Book Depository and saw a man in a sixth floor window in the west corner of the building holding a rifle. (21) The man was standing back from the window. (22) Rowland described the rifle as a "fairly high-powered rifle" with a scope. (23) He thought it might have been a .30 size six rifle. (24) Rowland said he noted also that two windows were open where he saw the man standing. (25) According to Rowland, the man was holding the rifle in a "port arms" military position, with the barrel at a 45° angle downward across his body. (26)

(14) Rowland described the man as being "tall and slender in build in proportion with his width." (27) He also said the man could have weighed 140 to 150 pounds. (28) He appeared to be light-complexioned

with dark hair, possibly "light Latin" or Caucasian, and his hair was closely cut. (29) Rowland said the man was wearing a very light-colored shirt with an open collar and a T-shirt beneath, and he had on either dark slacks or jeans. (30) The man appeared to be in his thirties. (31) Rowland said that he mentioned to his wife that he had seen a man in the window, but the man was gone when they looked back. (32) Rowland estimated the man was standing 3 to 5 feet back from the window. (33)

(15) Rowland testified also that before he saw the man with the rifle, he saw another man in another window of the sixth floor. (34) He said that window was in the east corner of the building, "the one that they said the shots were fired from." (35) Rowland said he believed it was a "colored" man and that the man was "hanging" out the window. (36) Rowland said that at that time he noticed there were several people hanging out of windows; it was then that he looked again and saw the man with the rifle in the western window. (37) He said he saw both men at about 12:15 p.m. (38)

(16) Rowland described the man in the window of the southeast corner of the sixth floor as an "elderly Negro," but could give no further details on the man's appearance. (39) Rowland said the Negro man in the window remained there until the motorcade reached the corner of Main and Ervay Streets at about 12:30 p.m. (40) Rowland said he last saw him about 5 minutes before the motorcade approached; when he looked a minute or 30 seconds before the motorcade had reached the corner of Main and Ervay, the man was gone. (41)

(17) In an FBI interview on November 22, 1963, Rowland repeated that as he stood on Houston Street at the west entrance of the sheriff's office at approximately 12:15 or 12:20 p.m., he saw a man standing in the window of the "second floor from the top"; (42) there was no further information in that report about the location of that window. The man was standing 10 or 15 feet back from the window and was holding a rifle which appeared to have a scope. (43) The FBI report described the man's position as "parade rest." (44) According to that report, Rowland described the man as a white male of slender build with dark hair. (45) He was wearing a light-colored shirt which was open at the neck. (46)

(18) Rowland told the FBI that he heard the first shot about 15 minutes after he had seen the man with the rifle at the window. He said he did not look at the window again after the shots began.

(19) In an FBI interview on November 23, 1963, Rowland was quoted as saying that the window in which he saw the man with the rifle was in the southwest corner of the sixth floor, which is nearest the overpass on Elm Street. (47) That report contains the description of the man as wearing a light-colored shirt and the rifle as being a .306 with a telescopic sight. (48) Rowland said he was not close enough to identify the man and could not say if it was Lee Harvey Oswald. (49)

(20) Rowland also gave a sworn statement to FBI agents on November 24, 1963. In that statement, Rowland again recounted that he saw a man with a rifle at about 12:15 p.m. on November 22, 1963. (50) He described the location as the area of the two rectangular windows "at the extreme west end of the Texas School Book Depository on the next to the top floor. \* \* \*" (51) He said again that the man was stand-

ing 10 to 15 feet back from the window.(52) The description he gave at this time was consistent with his earlier reports: Slender in proportion to his height, wearing a white or light-colored shirt, which was either collarless or open at the neck.(53) The man had dark hair.(54) Rowland also described the rifle as having a scope and said that the man was holding it in a "port arms" position.(55) He also said again that he would not be able to identify the person because of the distance.(56)

(21) There is no mention in any of the FBI reports that Rowland said he also saw another man in a window on the eastern corner of the building. Nevertheless, in his Warren Commission testimony, Deputy Sheriff Roger Craig stated that soon after the assassination on the afternoon of November 22, 1963, Rowland gave him a description of two men in sixth floor windows of the depository before the assassination.

(22) Craig testified that after the shots, he began talking to witnesses in the area of the depository.(57) This is Craig's description of his conversation with Rowland:

I talked to a young couple and the boy said he saw two men on the—uh—sixth floor of the Book Depository Building over there; one of them had a rifle with the telescopic sight on it—but he thought they were Secret Service agents on guard and didn't report it. This was about—uh—oh, he said, 15 minutes before the motorcade ever arrived.(58)

Craig said he remembered the boy's name to be Arnold Rowland.(59) He said the conversation with Rowland took place about 10 minutes after the shots were fired at the motorcade.(60) Rowland told him that the man with the rifle was located on the west end of the depository in the second window from the corner.(61) Rowland also told him that the two men were "walking back and forth" on the sixth floor.(62) Rowland related that when he looked back a few minutes later, only the man with the rifle remained.(63) He was holding it at his side and looking out the window in a southerly direction.(64) Craig said Rowland's wife said she had not seen the men.(65) Craig also said that at the time he talked to Rowland, there had not yet been a report that the shots had come from the depository.(66) In fact, Craig testified that he had at first assisted officers searching in the area of the railroad tracks before he returned to the area of the depository building to talk to witnesses.(67)

(23) Rowland also gave a report to the sheriff's department on November 22, 1963. According to that report, Rowland said that at about 12:15 p.m. he saw a man with a rifle in a window on the second floor from the top of the depository.(68) The man was about 15 feet back from the window and was holding the rifle at a "parade rest" position.(69) He described the rifle as high powered because it had a scope on it.(70) He described the man as white, wearing a light-colored shirt which was open at the neck; he said the man appeared to be of slender build with dark hair.(71) There is no mention in that report that Rowland described a second man on the sixth floor before the shots.

## II. PRESENCE OF POSSIBLE GUNMAN ON THE GRASSY KNOLL

(24) The committee also examined information about the presence of a man near the concrete structure on the grassy knoll near the area where some witnesses said they believed gunfire had originated.

(25) The photographic evidence panel examined photographs made by Phillip Willis of the area of the grassy knoll and concluded that a photograph taken by Willis did show a person standing behind the concrete wall on the knoll.(72) The panel determined that that photograph was taken at approximately frame 202 of the Zapruder film, which was after President Kennedy received the neck wound but before the fatal head shot.(73) According to the results of the panel's photographic enhancement and analysis, the figure in the Willis photograph was consistent with that of an adult approximately 5 feet 6 inches to 6 feet in height(74) and wearing dark clothing.(75) The panel also noted that in another photograph by Willis, which was taken after the Presidential limousine had left Dealey Plaza, the figure standing behind the concrete wall had disappeared.(76) The panel concluded that that movement by the object was consistent with the presence of a human being.(77)

(26) The photographic evidence panel also noted that in the first Willis photograph, which shows the person standing behind the concrete wall, there is visible, near the region of the hands of the person at the wall, "a very distinct straight-line feature," which extends from lower right to upper right. (78) Nevertheless, because of the blur of the object in the photograph, the panel was not able to determine the actual length of the object and could not conclude whether it was or was not a weapon.(79)

(27) The committee interviewed Willis' daughter, Rose Mary Willis, on November 8, 1978, at her home in Dallas. Ms. Willis stated that she was present with her father and a sister in the area of the grass section of the plaza at the time of the Presidential motorcade on November 22, 1963.(80) Ms. Willis explained that as the President's car approached, she ran alongside the limousine almost to the triple underpass.(81)

(28) Ms. Willis stated that during that time, she noticed two persons who looked "conspicuous." (82) One was a man near the curb holding an umbrella, who appeared to be more concerned with opening or closing the umbrella than dropping to the ground like everyone else at the time of the shots.(83) The other was a person who was standing just behind the concrete wall near the triple underpass.(84) That person appeared to "disappear the next instant." (85) Ms. Willis further described the location of this person as the corner section of the white concrete wall between the area of photographer Abraham Zapruder's right side and the top of the concrete stairway leading up to the center of the grassy knoll.(86)

(29) Ms. Willis said she was aware of three shots being fired.(87) She gave no information on the direction or location of the shots, but stated that her father became upset when the policemen in the area appeared to run away from where he thought the shots came from; that is, they were running away from the grassy knoll.(88)

(30) Committee investigators also interviewed Ms. Willis' sister, Mrs. Linda Pites, on November 7, 1978, in Dallas. Mrs. Pites explained

that she was also present in the plaza at the time of the shots. (89) The only information she provided relevant to the shots was that she had a distinct impression that the head wound to President Kennedy was the result of a front-to-rear shot. (90) She also heard three shots and saw the President's head "blow up." (91)

(31) Mrs. Pites testified before the Warren Commission on July 22, 1964. (92) During her testimony, she said that she heard three shots and that she saw the President grab his throat after the first shot. (93) She was not asked by the Commission about any other activity she may have seen in the plaza at the time of the shots.

(32) Phillip Willis also testified before the Warren Commission on July 22, 1964. He had positioned himself on the curb in front of the Texas School Book Depository at the time the President's motorcade passed. (94) Willis stated that he took 12 pictures of the motorcade, including one of President Kennedy when he was first hit. (95) Willis said he was certain that three shots were fired and that they came from the direction of the depository. (96)

(33) During his testimony, Willis was asked if at the time of the shots he looked in the direction of the railroad tracks which go across the triple underpass. (97) Willis stated that he saw policemen and spectators there, but that he saw no evidence of shots coming from that area. (98) Willis was not asked during the testimony about his film, which shows a figure behind the concrete wall on the knoll.

### III. ACCOUNTS OF PERSONS FLEEING FROM THE TEXAS SCHOOL BOOK DEPOSITORY

(34) Richard Randolph Carr stated to the FBI on January 4, 1964, that he saw a man looking out of a window on the top floor of the depository a few minutes before Carr heard shots. (99) He described the man as white, wearing a hat, tan sportcoat and glasses. (100) He said that at the time of the motorcade, he was standing on about the sixth floor of the new courthouse which was under construction at Houston and Commerce Streets. (101) Carr said that from that spot he could only see the top floor and roof of the depository building. (102) It was from that location that he observed the man in the depository window. (103) Carr said that after the shots he was going toward the direction of the triple underpass; when he got to the intersection of Houston and Commerce Streets, he saw a man whom he believed to be the same individual he had seen in the window of the depository. (104)

(35) Carr was not called to testify before the Warren Commission. He did testify on February 19, 1969, in the Parish County Criminal District Court in New Orleans in *State of Louisiana v. Clay L. Shaw*, a case involving charges of conspiring to assassinate President Kennedy. According to the transcript of his testimony, Carr stated that he saw the man in the fifth floor window of the Texas School Book Depository. (105) He said he later saw the man going down Houston Street; turning at Commerce Street. (106) Carr also described the hat worn by the man as felt and said his glasses were heavy-rimmed with heavy ear pieces. (107) He had on a tie and a tan sportcoat. (108)



As the man ran, he was continually looking over his shoulder as though he was being followed. (109)

(36) During his testimony at the Clay Shaw trial, Carr also reported seeing men in Dealey Plaza at the time of the assassination who were not mentioned in the report of his FBI interview in January 1964. Carr was asked during the Shaw trial if he noticed any movement after the shots which seemed "unusual." (110) Carr then said that he saw a Rambler station wagon with a rack on top parked on the wrong side of the street, heading north and facing in the direction of the railroad tracks, next to the depository. (111)

(37) Carr said that immediately after the shots he saw three men emerge from behind the depository and enter the station wagon. (112) He gave a description of one of them: he was "real dark-complected" and appeared to be Spanish or Cuban; he drove the car away, going north on Houston Street. (113)

(38) During the Shaw trial testimony, Carr said he had reported this information to law enforcement officers and that someone had told him not to repeat this information. (114) At that point, defense counsel objected to hearsay by Carr, and no further details were elicited about the reported coercion of Carr, other than his statement that he did what the FBI told him to do, "I shut my mouth." (115)

(39) Committee investigators did not locate Richard Carr to discuss this information with him.

(40) James Richard Worrell also reported to the FBI on November 23, 1963, that he saw a man leaving the TSBD and running from the area after the shots. Worrell told the FBI that he saw the man leave the depository building and run in the opposite direction; at the time, Worrell said that he was running from Elm to Pacific Street along Houston. (116) He described the man as white, 5 feet 8 inches to 5 feet 10 inches in height, with dark hair and wearing some type of jacket and dark clothing. (117) According to the FBI report, when Worrell later saw Lee Harvey Oswald on television that night, Worrell believed Oswald was the person he had seen running from the depository. (118)

(41) In an affidavit for the Dallas Police Department on November 23, 1963, Worrell also related seeing the man run from the depository in the opposite direction from Worrell. At that time, he said the man was wearing a dark shirt or jacket which was open down the front and that he did not have anything in his hands. (119)

(42) When Worrell testified before the Warren Commission on March 10, 1964, he said he was running along Houston Street when he saw the man "come bustling out of the door" of the depository. (120) At that time, Worrell described the man as 5 feet 7 inches to 5 feet 10 inches in height, weighing 155 to 165 pounds, in his early thirties, with brunette hair. (121) He was wearing a dark sports jacket, which was open, and light pants. (122) Worrell said the man came out of the "back entrance" of the depository building. (123)

(43) Richard Worrell died on November 5, 1966, in Dallas from severe head injuries sustained when his motorcycle went out of control. (124)

## IV. ACCOUNTS OF PERSONS FLEEING DEALEY PLAZA

(44) After the assassination on November 22, 1963, Mrs. Jean Lollis Hill of Dallas gave a notarized statement to the sheriff's department regarding what she had seen in Dealey Plaza at the time the shots were fired at the motorcade. Mrs. Hill said that she was standing at the curb on the south side of Elm Street halfway to the triple underpass during the parade. (125) After the last shot was heard and the Presidential limousine sped away, Mrs. Hill looked up the hill of the grassy knoll and saw a man running toward the monument. (126) She said she began running toward the man; she was turned back by policemen who had arrived on the knoll when she got up to the railroad tracks. (127) In the sheriff's statement, there is no description or further details of the man seen by Mrs. Hill.

(45) An interview report dated November 23, 1963, by the FBI gave only this account for its total report on Mrs. Hill:

—Jean Hill, 9402 Bluff Creek, telephone EV 1-7419, stated that she on November 22, 1963, was standing on Elm Street in the vicinity of Texas School Book Depository observing the Presidential party composed of the President of the United States, his wife and Governor Connally of Texas, pass, and accompanying her was Mary Moorman, residing 2832 Ripplewood, telephone DA 1-9390, who with a camera took pictures of the Presidential party passing down the street.

—Jean Hill advised she heard something like a rifle shot and observed President Kennedy crumple in his seat in the automobile. She was standing nearby, as the vehicle was passing the spot where she stood at the time. (128)

(46) The FBI reinterviewed Mrs. Hill on March 13, 1964. In that report, Mrs. Hill was quoted as saying that after the shots she noticed a white man in a brown raincoat and a hat running west away from the depository in the direction of the railroad tracks. (129) The report states that Mrs. Hill said she was stopped by a motorcycle policeman and lost sight of the man. (130) It also states that she did not get a good look at the man, but that she described him as being of average height and heavy build. (131)

(47) According to that report, Mrs. Hill said that men who were either FBI or Secret Service agents were present later that afternoon when she was being questioned in the sheriff's office. (132) Mrs. Hill related that one of the men referred to a bullet hitting the ground near her feet; she told him she did not recall such an incident. (133) When she told the men that she had heard four to six shots, one of them said: "There were three shots, three bullets, that's enough for now."

(134) The report states that despite that remark, Mrs. Hill said no law enforcement officers attempted to force opinions or statements from her. (135)

(48) Mrs. Hill testified before the Warren Commission 11 days after that FBI interview, on March 24, 1964. At that time, Mrs. Hill recounted again the events in Dealey Plaza at the time of the shots. As she discussed the reaction of the crowd to the shots, she volunteered that she saw a man "running, getting away or walking away or some-

thing—I would say he was running.” (136) She said the man was at the top of the slope near the west end of the depository building. She repeated that the man was wearing a brown raincoat. (137) She said her attention was drawn toward him because he was the only thing moving after the shots rang out. (138) Mrs. Hill also said that at the time she thought, “that’s the man that did it” and began running toward him. (139) She did not recollect seeing his hands and did not see a weapon. (140)

(49) Mrs. Hill testified that she ran up the hill toward the railroad tracks after the man. (141) She said when she got in the area of the railroad tracks, she lost sight of him. (142) At that point she thought she heard someone say: “It looks like he got away,” or words to that effect; she said that was consistent with the thought in her own mind that the man she saw running was involved in the assassination. (143) (50) When Mrs. Hill was first asked during her Warren Commission testimony by Counsel Specter if she could give a description of the man she saw running, Mrs. Hill said she did not want to. She was concerned because she had earlier given statements that the man looked like Jack Ruby in build and thought this would be viewed as “using a figure and converting it to [her] story.” (144) Later in her testimony, Mrs. Hill said she had been bothered and laughed at because of the information she provided, specifically because she had once said she saw a dog on the seat in the limousine between President and Mrs. President (145) Nevertheless, she continued to say that the man was about Jack Ruby’s height and wasn’t any bigger than Jack Ruby in weight. (146) She said also at that time that the man had been wearing a brown hat. (147) She estimated that he was middle-aged, approximately 40 years old, and Caucasian. (148) When asked by Counsel Specter if she thought the man was in fact Jack Ruby, Mrs. Hill replied that she didn’t know. (149)

(51) Mrs. Hill explained in her testimony that when she mentioned to the law enforcement officers at the sheriff’s office that she had heard four to six shots, one of the men responded that he had also heard more than three shots, but that they had three wounds and three bullets, so they were not willing to say that more than three shots had been fired. (150) She repeated also at that time that a Secret Service man asked her about a bullet hitting the ground near her feet, but she had not seen a bullet hit the ground. (151) She said she was not coerced into any statements by the law enforcement officials. (152)

(52) Mrs. Hill said she had been contacted by Attorney Mark Lane a few weeks before her Warren Commission testimony. (153) Among the things she related to Lane was that she had been told by a man from the FBI or Secret Service not to mention the man she saw running in the area of the depository. (154) At that point in her testimony, Mrs. Hill also said that a reporter named Featherstone from the Dallas Times Herald had told her she was wrong about seeing a man running up the hill from the depository, and not to mention it on the air. (155) It was not further clarified in her Warren Commission testimony whether it was in fact law enforcement officers or the reporter, or both, who advised her not to mention again seeing the man running.

(53) Mrs. Hill said in her testimony that she had been reinterviewed by the FBI on about March 16 or 17, 1964 because of statements Mark

Lane had made about her when he testified before the Commission. (156) Mrs. Hill said she had talked to Lane about 4 or 5 weeks before; she said he took down correctly what she said, but that it was reported out of context because his account did not reflect his questions. (157) (54) Mark Lane had testified before the Commission on March 7, 1964. Lane gave this account in his testimony of information he had been given by Mrs. Hill of the events in Dealey Plaza:

—She said further that after the last shot was fired, she saw a man run from behind the general area of a concrete facade on that grassy knoll, and that he ran on to the triple overpass. (158)

(55) Mrs. Hill was not located by the committee.

(56) In another voluntary statement to the sheriff's department dated November 22, 1963, Jesse C. Price of Dallas was quoted as saying he also saw a man fleeing from the plaza after the assassination. Price said in his notarized statement that at approximately 12:35 p.m. on November 22, 1963, he was on the roof of the Terminal Annex Building and saw the Presidential motorcade proceeding west on Elm Street until it was a short distance from the overpass. (159) After hearing the volley of shots, Price saw a man run toward the passenger cars at the railroad siding. (160) In the sheriff's statement, Price described the man as about 25 years of age with long, dark hair. (161) He was wearing a white dress shirt with no tie and khaki-colored trousers. (162) Price said the man was carrying something in his hand and that it may have been a "head piece." (163)

(57) Price was interviewed by the FBI in Dallas on November 24, 1963. However, that report quotes Price only as saying he looked in the direction of the overpass at the time of the shots, but "saw nothing pertinent." (164)

(58) The committee learned that Jesse C. Price was deceased.

(59) Lee E. Bowers, Jr., reported to the FBI after the assassination on November 22, 1963, that he had observed three cars parked in the lot west of the depository building before the assassination. He said the first arrived at about 11:55 a.m.; it was a 1959 Oldsmobile station wagon, blue over white, with an out-of-State license plate consisting of six black numbers on a white background. (165) He noted that the car was extremely dirty. (166) There was one white male in it, who Bowers said could have been middle aged. (167) The second car arrived at about 12:15 p.m. (168) It was a 1957 Ford Tudor, black with a gold stripe on the sides, and had a Texas license plate. (169) Bowers said he thought the man in that second car was a police officer because he was talking into a radio telephone or radio transmitter in the car. (170) Bowers described him as white, about 30 years old. (171) The third car was a 1961 or 1962 white Chevrolet Impala four-door and it arrived at approximately 12:22 p.m. (172) Bowers said the license on the third car was like the out-of-State license on the first, with six black numbers on a white background. (173) That car, too, was very dirty. (174) The man in it was a white male about 30 years old, with long, dirty blond hair, wearing a plaid sports shirt. (175)

(60) Bowers told the FBI that after the shooting he did not see any of these cars in the parking lot. (176)

(61) Lee Bowers, Jr., testified before the Warren Commission on April 2, 1964, and gave the same account and descriptions of the three cars. (177) Nevertheless, in his Warren Commission testimony, Bowers also stated that the first car first drove in front of the depository, circled the area of the tower in the railroad yard "as if he were searching for a way out, or was checking the area," and then left at the Elm Street outlet. (178) Bowers stated also that he noticed the car had a "Goldwater" sticker on its bumper. (179) About 15 minutes later, Bowers noted the second car; it drove in front of the depository, cruised around the area for 3 or 4 minutes, and then left. (180) The third car appeared about 8 minutes before the President's motorcade; it circled the area and probed in the area of the tower, and then slowly cruised back in front of the depository, at which point Bowers lost sight of it. (181)

(62) Bowers testified that at the time of the motorcade on November 22, he was located in the Union Terminal Tower in the railroad yard. (182) When asked what people he noticed standing between the tower and Elm Street at the underpass on the high ground, Bowers stated that he saw two men standing within 10 or 15 feet of each other. (183) One of them was middle aged, heavy set, and was wearing a white shirt and dark trousers. (184) The other man was in his mid-twenties, wearing either a plaid shirt or a plaid jacket. (185) Bowers said those two men were directly in his line of vision toward the mouth of the underpass and appeared to be watching the progress of the motorcade. (186) Bowers said he saw the man in the white shirt standing there at the time of the shots, but that he could not see the younger man in the plaid clothing because of the trees, which made him harder to distinguish. (187)

(63) Bowers said that at that point a motorcycle officer ran up the incline toward the trees in the general area of where the two men were standing; Bowers said there was some kind of commotion at that place, but that he did not know what had happened. (188)

(64) The committee was told on November 11, 1978, by Bowers' parents that he died from injuries sustained in a car accident 3 years ago. (189) Mr. and Mrs. Bowers, Sr., were unable to provide any additional information about the events reported by their son; they mentioned that he was reticent by nature and told them practically nothing of what he had observed on November 22, 1963. (190)

(65) In a sheriff's department notarized statement dated November 23, 1963, Malcolm Summers of Dallas reported that he saw a car speeding from the area of the plaza immediately after the shots. (191) Summers stated that he was located on the terrace of the small park on Elm Street when the Presidential motorcade passed in front of him. (192) After the shots and the President's car had sped away, Summers went to the area of the railroad tracks because he "knew that they had somebody trapped up there." (193)

(66) After about 20 minutes, Summers returned to his truck, which was parked on Houston Street. (194) As he began to pull away from the curb, an automobile traveling in what Summers described as a "burst of speed" passed his truck on the right, which Summers thought was dangerous. (195) Summers said the car then slowed when it got in front of him, "as though realizing they would be conspicuous in speeding." (196)

(67) Summers said there were three men in the car; he described them as of slender build.(197) He said they appeared to be "excited" and were motioning to each other.(198) He described the car as a 1961 or 1962 Chevrolet sedan, which was maroon in color.(199) The car went across the Houston Street viaduct, turned off on Marsalis Street, and continued in the direction of Zangs Boulevard.(200) Summers said he did not believe he could identify the men again, but that he would recognize the car.(201)

(68) Summers was not called to testify before the Warren Commission. No FBI files concerning this information have been located. Summers was contacted by the committee on October 30, 1978. At that time, he confirmed the substance of the information provided to the sheriff's department and signed a statement indicating that the information was accurate and complete.(202)

(69) The Dallas County Sheriff's Department had also received another report of a car speeding from the direction of Dealey Plaza on the afternoon of November 22, 1963. In a report dated November 22, Deputy Sheriff Jack Watson reported that he had received information through the sheriff's office radio about the car. Watson reported that the Carrollton, Tex., Police Department called in that they had received a citizen's report that a car had been parked near the Harry Hines Circle for several days before November 22.(203) According to the information from the Carrollton police, "very shortly after the shooting" that car was seen traveling north on Harry Hines Boulevard "at a very high rate of speed."(204) The Carrollton police described the car as a red 1963 Chevrolet Impala with Georgia license plate 52J1033.(205) Watson's report stated that the information on that car was broadcast to all stations north.(206)

(70) The committee was unable to locate Jack Watson to get further details of the car report received by the Dallas County Sheriff's Department.

(71) According to an FBI report on the car with the Georgia license plate, the Dallas County Sheriff's Office had received the call on the radio between 1:54 and 2:11 p.m., and it reflected that the car had been spotted speeding along Harry Hines Boulevard just prior to that.(207) The FBI was advised on March 27, 1964, by its Atlanta office that the 1963 Georgia license 52J1033 was listed to J. C. Bradley of Twin City, Ga.(208) That license was issued for a four-door 1960 Chevrolet.(209)

(72) The owner of the car and license, James Cecil Bradley, was interviewed by special agents of the FBI on May 14, 1964. At that time Bradley informed the FBI that he owned a 1960 Belair Chevrolet.(210) The color of the car was not given, but Bradley stated that he has never owned a red 1963 Chevrolet Impala.(211) Bradley said that in August or September 1963 his 1963 license plate was stolen from his car as it was parked overnight with a flat tire on Highway 80 between Swainsboro and Twin City, Ga.(212) Bradley said that he reported the theft to law officers in Twin City and Swainsboro.(213)

(73) The FBI interviewed the friend who was with Bradley when Bradley returned to his car to repair the flat and noticed that the license plate was missing. That friend confirmed that the plate was in fact missing from the car and that he had advised Bradley to report it stolen.(214)

(74) Official records also confirmed the report by Bradley. Charles Oglesby, the chief of police in Twin City, Ga., stated to the FBI that he recalled Bradley reporting the stolen license tag some time in 1963.(215) According to records of the Georgia State Motor Vehicle Registration Bureau, the original 1963 license, 52J1033, was issued to Bradley on March 28, 1963, for a 1960 Chevrolet with the vehicle identification number 1619A154729.(216) A duplicate or replacement tag was issued to Bradley on September 10, 1963, for use on the same vehicle.(217)

(75) The committee has been unable to locate any further identification of the persons or car with whom that license was reported in Dallas on November 22, 1963.

(76) In an interview in Dallas with committee investigators on August 26, 1978, Tom Tilson reported that he saw a man running from the plaza immediately after the shots. Tilson stated that on November 22, 1963, he was off duty from his job as a Dallas Police Department patrolman.(218) At the time of the motorcade, he was driving east from Commerce Street and was approaching the triple underpass.(219) He had already heard the report on his police radio that there had been shooting at the motorcade and had seen the Presidential limousine travel at high speed from the underpass.(220) As he was in the area of the triple underpass, Tilson saw a man "slipping and sliding" down the embankment on the north side of Elm Street west of the underpass.(221) Tilson said the man appeared conspicuous because he was the only one running away from the plaza immediately after the shots.(222) Tilson said that because of his speed, the man rammed against the side of a "dark" car which was parked there.(223) Tilson said he then saw the man do something at the rear door portion of the car, like "throw something inside, then jump behind the wheel and take off very fast." (224)

(77) Tilson told the investigators that his 17 years of experience as a policeman, combined with the radio broadcast of the shooting and this conspicuous man, caused him to "give chase" to the man speeding away from the direction of the plaza. (225) He then saw the same "dark car" going south on Industrial Boulevard, and he followed it. (226) As the car approached a toll road toward Ft. Worth, Tilson was within 100 feet and called out the license number, make, and model to his daughter, Dinah, who was riding with him. She wrote it down on a slip of paper. (227)

(78) Tilson described the man as white, 38 to 40 years old, 5 feet 8 inches to 5 feet 9 inches in height, with a round face. (228) Tilson said he had dark hair and was wearing dark clothing. (229) Tilson said he knew Jack Ruby, and the man looked enough like Jack Ruby to be his "twin." (230) That impression was so strong in Tilson's mind that he noted that Ruby showed a lot of "resourcefulness" in arranging to be identified in a newspaper office at the time of the assassination with a lot of influential witnesses. (231)

(79) Tilson said he called the homicide office of the police department and reported the information on the car that afternoon. (232) He said he never heard any more from the Dallas police homicide squad about his report. (233) Tilson said he kept the slip of paper with the information his daughter had written. (234) Nevertheless,

Tilson believes he threw it out about 3½ years ago when he discarded many items in his home upon the death of his wife. (235) Tilson explained that he never followed up on the report with the homicide squad because of his perception that the homicide office was run as a kind of "elite," which resented any encroachment on its authority. (236)

(80) The committee also examined the allegation that other men were in Dealey Plaza before the shots were fired at the motorcade, which was related by Julia Ann Mercer. Ms. Mercer gave statements concerning the men, including one who was carrying a gun case, to law officers right after the assassination. Ms. Mercer's report continued to receive much attention by writers, but has never been resolved. This committee has been unable to locate Ms. Mercer for further examination of the reports.

(81) In a sheriff's department notarized statement dated November 22, 1963, Ms. Mercer is quoted as saying that on November 22 she was driving in the area of the plaza going toward the overpass. (237) When she got to a point just east of the overhead sign for the right entrance road to the overpass, she noticed a truck parked on the right-hand side of the street with its hood up. (238) The truck was described as a green Ford pickup with a Texas license. (239) According to the sheriff's report, Ms. Mercer said the truck had a sign on the driver's side in black letters which said "Air conditioning." (240)

(82) In the report, Ms. Mercer was quoted further as saying that a white male, approximately 40 years of age, was "slouched" over the steering wheel. (241) He was described as heavy set, with light brown hair, and wearing a green jacket. (242)

(83) The statement also describes another man who was standing at the rear of the truck; he was reaching over the tailgate into the truck and took out what appeared to Mrs. Mercer to be a gun case. (243) She described the gun case as about 8 inches wide at its base, 3½ to 4 feet long, and 4 or 5 inches thick; it was brown. (244) The man walked up "the grassy hill which forms part of the overpass," and that was the last Mrs. Mercer saw of him. (245) As he walked up the hill with the gun case, the case appeared to become stuck momentarily in the grass. (246) She described the man as a white male, 20 to 30 years old, wearing a gray jacket, brown pants, and plaid shirt. (247) He had a wool stocking cap with a tassel on it. (248)

(84) In the statement, no time is given for the incident observed by Ms. Mercer. Nevertheless, she noted also that at that time three policemen were standing near a motorcycle on the overpass bridge. (249)

(85) In a letter to committee staff dated July 15, 1977, former New Orleans District Attorney Jim Garrison stated that he had interviewed Julia Mercer and transcribed corrections made by her to the purported notarized sheriff's statement. (250) According to the corrections on Garrison's copy of the statement, Ms. Mercer claimed she never said in the sheriff's statement that the truck had "air conditioning" written on its side, and the signature at the bottom of the statement was not hers. (251) Further, she never said that she did



not see the driver's face too clearly.(252) According to the corrections, Ms. Mercer said that she looked right in the man's face.(253) She also said that "this is why I was able to recognize him when I later saw him shoot Oswald on TV." (254) Garrison's copy included Ms. Mercer's signature at the bottom of the corrections.(255) The corrections were dated January 18, 1968.(256)

(86) In an FBI report dated November 23, 1963, Ms. Mercer was again quoted as giving the account of the truck parked near the knoll and of the two men she had described in the sheriff's report, including the same information of their physical descriptions and the gun case.(257) That report also stated that Ms. Mercer said the truck had the words "air conditioning" printed on the side.(258) The time given for the incident in the FBI report is 10:50 a.m. on November 22, 1963.(259)

(87) The copy of that FBI report provided to the committee by Jim Garrison also included corrections dated January 15, 1968, and the signature Julia Ann Mercer.(260) In the corrections, Ms. Mercer was quoted by Garrison as saying that she did not tell the FBI that there was writing on the truck; she stated that she told them in each interview that there was no writing on the truck.(261) Her corrections contain this statement:

—Furthermore, even before Ruby shot Oswald, when the FBI agents showed me pictures I selected Jack Ruby's picture as one of those which appeared to be the driver. When one of the agents turned the picture over I saw "Jack Ruby" on the back.(262)

On that statement, in the margin in the same handwriting as the Julia Ann Mercer signature, it says that it was on November 23, 1963, when she selected the photograph of Jack Ruby.(263)

(88) In another FBI report dated November 28, 1963, Ms. Mercer is said to have been shown a group of photographs in an FBI interview on November 27, 1963.(264) According to that report, Jack Ruby's photograph was among those viewed by Ms. Mercer.(265) The report states that Ms. Mercer could not identify any of those photographs as being the picture of the man she had reported seeing at the driver's wheel of the truck.(266) Regarding the picture of Jack Ruby, Ms. Mercer is quoted in the report as saying that the driver had a round face similar to Ruby's, but that she could not identify Ruby as that person.(267) The report also states that Ms. Mercer was shown a photograph of Lee Harvey Oswald, and that she said the second man she had seen at the truck with the gun case was the same general build, size and age as Oswald, but that she could not identify Oswald as that man.(268)

(89) In the corrections taken by Garrison, with a Julia Ann Mercer signature dated January 15, 1968, Ms. Mercer is quoted as repeating that she had selected four photographs of the driver of the truck and that one of the photographs was a picture of Jack Ruby.(269) She stated again that she selected the picture of Ruby on November 23, 1963, the day before Ruby's murder of Oswald was shown on television.(270)

(90) Dallas Deputy Sheriff Roger Craig reported on November 23, 1963, that after the shots, he saw a man run down the grassy knoll and

get into a light-colored Rambler station wagon with a luggage rack on its roof.(271) Craig said in the report that his attention had been drawn to the man because he heard a shrill whistle.(272) The station wagon pulled up to the curb. Craig described the driver as a dark-complected white male.(273) There was no description of the man Craig reportedly saw running down the hill.(274) Craig said he tried to stop the car and talk with the two men, but was unable to reach it because of heavy traffic.(275)

(91) Craig said he immediately reported it to a Secret Service agent in the area.(276) Later that afternoon, Craig was told to come to city hall; he said that when he arrived at city hall he identified the "subject" they had in custody as the same person he saw running down the hill and entering the Rambler station wagon.(277)

(92) When Roger Craig testified before the Warren Commission on April 1, 1964, he repeated his account about the running man. Craig said that the man was in line with the southwest corner of the depository building, and he started to run toward Elm where it curves under the overpass.(278) Craig said the station wagon was driving "real slow" on Elm Street and that the driver was leaning to his right looking up the hill at the running man. (279)

(93) During his testimony, Craig described the man running down the hill as a white male in his twenties, 5 foot 8 inches to 5 foot 9 inches in height, with medium brown, sandy hair. (280) He was wearing medium blue trousers and a light tan shirt. (281)

(94) Craig described the driver of the car as very dark complected, with real short dark hair, Craig thought at first that he was Negro.(282) He was wearing a thin-looking white jacket like a wind-breaker. (283) Craig said he did not get a good look at the driver. (284)

(95) Craig said also that the car looked white and appeared to have a Texas license. (285)

(96) Roger Craig reportedly committed suicide on May 15, 1975.(286)

(97) Another person also reported seeing a Rambler station wagon in Dealey Plaza immediately after the shots. In an FBI interview on November 23, 1963, Marvin Robinson said that he was traveling west on Elm Street toward Houston Street after the assassination.(287) Just as he crossed the intersection of Elm and Houston and was in front of the depository, a light-colored Nash station wagon appeared before him.(288) He said the station wagon stopped, and he saw a white male come down the grassy hill between the building and the street and enter the station wagon.(289) The car then headed toward the Oak Cliff section of Dallas.(290) Robinson said he would not be able to furnish a description or identify the man who entered the station wagon.(291)

(98) Robinson did not testify before the Warren Commission, and he has not been located by the committee.

(99) The committee also attempted to pin down information about cars which were parked in the area of the depository at the time of the Presidential motorcade for any further identification of cars reported fleeing from Dealey Plaza.

(100) Earle V. Brown was a Dallas Police Department patrolman at the time of the assassination who was assigned to stay on the railroad overpass over the Stemmons Freeway and to prevent any unauthorized

persons from standing on the overpass at the time of the motorcade.(292) In his testimony before the Warren Commission, Brown stated that he and Officer James Lomax had been ordered after the assassination to return to the area of the depository and list the license number of all cars parked in the vicinity. (293) Brown was not asked during his testimony whether any further investigation resulted from the list of the license number or what had happened to the list.

(101) Brown was interviewed by the committee in Dallas on October 26, 1978. At that time, he recalled the assignment to get the license plate numbers about an hour after the assassination.(294) He said that about four to five officers were involved. (295) He believed he turned the list in to Sergeant Howard, who was his supervisor.(296) He gave no further details concerning the list or the cars parked near the Texas School Book Depository.

(102) During the interview with the committee, Brown also added that soon after the Presidential motorcade passed, after the last shot was heard, Brown saw a man run down the stairs on the west side of the depository and then turn north away from the front of the building. (297) Brown estimated that this occurred approximately 15 minutes after the shots.(298) He said he was not able to follow the path taken by the man because of an obstructed view.(299)

(103) Brown described the man to the committee as young, of medium size, fair complexion, and not having dark hair.(300) He said the man was dressed in light blue work pants and a shirt which was similar.(301) He did not see anything in the man's hands.(302)

(104) Brown was shown a picture of Dealey Plaza and the depository during the committee's interview.(303) At that time, he noted that his view of the west door would have been obscured by an add-on shed section of the building.(304) Investigation by the committee indicated that the section was added to the building prior to 1956.(305) There is a door there at the west side of the building, but the door is hidden by uncut bushes and trees; no determination was made of the age of the bushes and trees.(306) The doorway does face the trestle on which Brown was standing at the time of the assassination; the estimated distance to the trestle is approximately 500 yards.(307)

(105) Brown told the investigators that he had not mentioned seeing the man leaving the building when he testified before the Warren Commission because he had not been asked by the Commission counsel, and also because he was not able to identify the man as Lee Harvey Oswald, although the man was about Oswald's size.(308) Brown said he thought he had mentioned the incident to his wife and to his partner at the time. Officer Lomax.(309)

(106) Brown also mentioned that he had experienced an extrasensory perception premonition before the assassination about the President being shot by a rifle barrel protruding from a window in a brick wall.(310)

(107) The committee interviewed James Lomax in Dallas on October 27, 1978. Lomax had never been interviewed by any law enforcement officers or the Warren Commission about events in Dealey Plaza at the time of the assassination. During his interview, Lomax gave no information about the assignment to list the license numbers of cars

parked in the area of the depository after the assassination. Lomax had no other information to report about persons fleeing from the depository or Dealey Plaza. When asked by committee investigators about Earle Brown's report of a man leaving the depository, Lomax stated that Brown never mentioned it to him and that he did not observe the reported incident.(311)

(108) The committee was unable to locate a list by the Dallas Police Department of cars parked near the depository or any other reports relating to cars leaving the area.

## V. ACCOUNTS OF BULLETS HITTING IN THE PLAZA AREA

(109) In view of the acoustics analysis that points to more than three shots being fired at the Presidential motorcade, the committee undertook to examine evidence that other bullets did in fact strike in the plaza at the time of the fatal shots. The most useful analysis of this evidence would have, of course, included a trajectory analysis to determine the path of those "bullets" and, most significantly, the point from which they were fired, in order to determine the presence of other assassins. Nevertheless, based on the reports of those witnesses made soon after the assassination, insufficient data remained to conduct such a trajectory analysis. The experts engaged by the committee to determine the path of missiles in Dealey Plaza have explained that the minimal data required would include the path of the missile, as well as its point of impact.(312) In none of the information collected on the presence of other missiles in Dealey Plaza was that information complete. The committee, therefore, attempted to set the information out as completely as possible, even though it was not possible to conclude on the basis of the scant information remaining what those reports meant in reference to the presence of other gunmen in Dealey Plaza.

(110) In an FBI interview on November 24, 1963, Mrs. Virgie Baker (nee Rackley) reported that at the time she heard the first shot, she looked in the direction of the triple underpass and saw what she presumed to be a bullet bouncing off the pavement.(313) Mrs. Baker was located immediately across the street from the depository when she heard the shots.(314) She thought they came from the direction of the triple underpass.(315) In the FBI report, no further details or information were given by Mrs. Baker about the location or direction of the object she believed to be a bullet.

(111) Mrs. Baker testified before the Warren Commission on July 12, 1964. At that time, she stated that the object she believed to be a bullet hit the pavement in the street at the point of the Stemmons Freeway sign on Elm Street. (316) She said it hit in the middle of the lane on the other side of the street, which would have been the left-hand lane going in the direction of the triple underpass.(317) At first Mrs. Baker said the bullet hit behind the President's car. Then she said she could not remember whether it hit to either side or behind the President's car.(318) Mrs. Baker said she was sure she saw the object hit before she heard the second shot.(319)

(112) Committee investigators were unable to locate Mrs. Baker.

(113) In a sheriff's department notarized statement dated November 22, 1963, Royce Skelton stated that he also saw a bullet hit the

pavement in the left or middle lane, to the rear of the President's car. (320) Skelton gave this account of the sequence of events:

—We saw the motorcade come around the corner and I heard something which I thought was fireworks. I saw something hit the pavement at the left rear of the car, then the car got in the right hand lane and I heard two more shots. I heard a woman said "Oh no" or something and grab a man inside the car. I then heard another shot and saw the bullet hit the pavement. The pavement was knocked to the south away from the car. (321)

(114) In his Warren Commission testimony on April 8, 1964, Skelton said that he saw smoke rise from the pavement when the bullet hit. (322) Skelton said also that the sound of the gunfire came from the area of the President's car. (323) Skelton said he was located on the overpass directly over Elm Street at the time of the motorcade. (324) He said the sound of the shots definitely did not come from where he was. (325) Skelton also offered that the smoke he saw rising from the cement when the bullet hit "spread" in a direction away from the depository; he said the "spray" of flying cement went toward the west. (326) On the photograph designated Skelton exhibit No. 1, Skelton marked where on the street he saw the bullet and in which direction he saw the "spray." (327)

(115) Committee investigators were unable to locate Royce Skelton.

(116) In testimony before the Warren Commission on July 22, 1964, James Thomas Tague of Dallas stated that at the time of the Presidential motorcade, he was located near his car at the bridge abutment of the triple underpass; Tague said the nose of his car was sticking out from underneath the underpass. (328) Tague said that during the shots he felt something sting him on the cheek; after the shots, a policeman noticed that Tague had blood on his cheek. (329)

(117) On Commission exhibit No. 354, Commission Counsel Liebler placed a "6" on the photograph to indicate the place Tague was standing; it is described in Tague's testimony as approximately 3 to 4 feet from the concrete embankment of the bridge going over Main Street. (330) Tague said he and a police officer discovered a "fresh" bullet mark on the curb about 12 to 15 feet from the embankment. (331) Tague said the police officer attempted to go in the direction the mark on the curb seemed to indicate the shot had come from; he told Tague he had seen "something" there. (332) The letter "C" was placed on Commission exhibit No. 354 to indicate the spot the policeman had indicated as the "source" of the shot which hit the curb. (333) On the photograph, "C" is located in the area of the railroad tracks. Tague said he was not sure but that he thought he was hit on the cheek by the second or third bullet. (334)

(118) The piece of curb was examined by committee experts to determine if neutron activation analysis could determine the type of metal present at the scar, which might indicate what kind of bullet or missile hit the curb. Nevertheless the neutron activation analysis expert was unable to make any comparisons with the curb sample because it had previously been scraped by the FBI and the remaining metal was too small for testing purposes. (335) Also, it was felt that

the metal still left on the curb portion would have been too contaminated by cement material to yield any meaningful results. (336)

(119) During its acoustical reenactment of the assassination that took place in Dealey Plaza on August 20, 1978, the committee used the location of the mark on the curb described by James Tague as one of the "targets" at which ammunition was fired from the sixth floor of the Texas School Book Depository and the grassy knoll to determine if acoustical impulses would result during the simulation which matched the acoustical impulses on the Dallas Police Department radio tape, made contemporaneously with the shots. The curb target spot used during the reenactment was described as follows:

\* \* \* measurements used at the position were devised by measuring to the fifth curb stone slab on the south curb of Main Street. This is the slab known to have been removed by the FBI on August 5, 1964. (337)

That spot was designated target 4 during the reenactment. (338) Gunmen then fired at target 4 from the Texas School Book Depository and from the grassy knoll. (339) None of the acoustical impulses that resulted from the shots fired at target 4 during the reenactment matched the acoustical impulses on the original Dallas Police Department radio tape that contains the sound of actual gunfire at the time of the assassination. (340). That indicates that in all probability the mark on the curb was not made by a direct shot from either supposed assassin locations.

(120) When Richard Randolph Carr testified in the Kennedy assassination conspiracy trial of Clay Shaw in New Orleans on February 19, 1969, he stated that he heard a shot and then three more shots in succession at the time of the assassination. (341) When asked if he could tell where the shots came from, Carr replied that "the last three" came from behind the picket fence located at the top of the grassy knoll, and that one of the shots "knocked a bunch of grass up"; he could tell by the way the grass was "knocked up" that the bullet came from that area. (342) Trying further to pin down the supposed location of the shots he heard, Carr stated that the sound came from the end of the cement arcade at the top of the knoll which was closest to the underpass. (343) When asked if he could determine from the direction in which the bullet hit the ground which direction it was traveling in, Carr said that if the bullet had continued, it would have gone from the area of the picket fence in the direction of the Criminal Courts building. (344)

(121) On August 13, 1978, the committee received information that a person in Dealey Plaza on November 22, 1963, had noticed a bullet fall to the ground near the motorcade at the time of the shots. Charles Rodgers of Lake Dallas, Tex. called the committee to report that he was present in Dealey Plaza at the time of the assassination with a friend, Mike Nally. (345) According to Rodgers, Nally's uncle was a motorcycle policeman riding in the motorcade. (346) The uncle had apparently related to his nephew that when the shots were fired, he heard a clanging noise on the fender of his motorcycle. (347) The policeman looked down and saw a .45 caliber slug roll off into the

street.(348) The policeman then had to leave the area quickly as the motorcade was speeding from the plaza.(349)

(122) Rodgers said the next day Mike Nally came to him and said Nally's uncle had instructed him not to report the story and Nally passed that instruction on to Rodgers.(350)

(123) Based on the data provided by Rodgers, the committee was unable to locate Nally or to identify Nally's uncle.

(124) On August 5, 1978, the committee received information from former Dallas policeman Starvis Ellis that Ellis had also seen a missile hit the ground in the area of the motorcade at the time of the assassination. Ellis said he rode on a motorcycle alongside the first car in the motorcade, approximately 100 to 125 feet in front of the car carrying President Kennedy.(351) Ellis said that just as he started down the hill of Elm Street, he looked back toward President Kennedy's car and saw debris come up from the ground at a nearby curb.(352) Ellis thought it was a fragment grenade.(353)

(125) Ellis said also that President Kennedy turned around and looked over his shoulder.(354) The second shot then hit him, and the third shot "blew his head up."(355)

## VI. ACCOUNTS OF SMOKE IN DEALEY PLAZA AT THE TIME OF THE SHOTS

(126) Several witnesses have given statements that they saw "smoke" in the plaza that coincided with the gunfire. The committee considered these statements relevant to the question of whether a gunman or gunmen were located somewhere other than the depository.

(127) In a Dallas County Sheriff's Department notarized statement dated November 22, 1963, Austin Lawrence Miller stated that at the time he heard three shots and saw people in the Presidential limousine react, he saw "something which I thought was smoke or steam coming from a group of trees north of Elm off the railroad tracks."(356) At that time, Miller was standing on the bridge of the triple underpass.(357) Miller said he did not see anyone in the area of the railroad tracks.(358)

(128) Miller testified before the Warren Commission on April 8, 1964.(359) At that time, Miller was not asked about his prior statement to the sheriff's department and did not give information about the smoke he had earlier reported.

(129) The committee was unable to locate Austin Miller.

(130) In an FBI interview on March 17, 1964, Clemon Earl Johnson, of Dallas, stated that he saw smoke near the pavilion at the time of the shots.(360) According to the FBI interview report, Johnson told the FBI that he believed the smoke came from a motorcycle, which was abandoned near the spot by a Dallas policeman.(361) At the time of the shots, Johnson was located on the Elm Street viaduct overlooking the Presidential motorcade.(362)

(131) Johnson was not called to testify before the Warren Commission, and he was not located by the committee.

(132) In testimony before the Warren Commission on April 8, 1964, S. M. Holland stated that he was employed by the Union Terminal Railroad at the time of the assassination and was located in the middle of the overpass at the time of the Presidential motorcade.(363) Hol-

land stated that between the third and fourth shots, he saw smoke rising from the trees located at the top of the knoll:

There was a shot, a report, I don't know whether it was a shot. I can't say that. And a puff of smoke came out about 6 or 8 feet above the ground right out from under those trees. And at just about this location from where I was standing you could see that puff of smoke, like someone had thrown a firecracker, or something out, and that is just the way it sounded. It wasn't loud as the previous reports or shots. (364)

(133) In a report to the sheriff's department on November 22, 1963, Holland had also reported seeing the puff of smoke at the time of the shots. Nevertheless, in that statement, Holland placed the time of the puff of smoke as coinciding the first "noise":

\*\*\* when they got just about to the Arcade I heard what I thought for the moment was a firecracker and he slumped over and I looked over toward the arcade and trees and saw a puff of smoke come from the trees and I heard three more shots after the first shot but that was the only puff of smoke I saw. I immediately ran around to where I could see behind the arcade and did not see anyone running from there. But the puff of smoke I saw definitely came from behind the arcade through the trees. (365)

(134) James L. Simmons, of Dallas, reported to the FBI that from his location on the Commerce Street viaduct he saw "exhaust fumes or smoke" near the embankment in front of the depository building. (366) In the FBI interview on March 17, 1964, Simmons said that after the shots he saw a policeman jump off his motorcycle and run up the hill of the knoll toward the Memorial Arches. (367) It is not clear from the report if Simmons was describing the smoke as coming from the motorcycle or someplace else.

(135) Nolan H. Potter was also employed by the Union Terminal Co. at the time of the assassination and was with Simmons at the time of the shots. (368) In an FBI interview on March 17, 1964, Potter said that he heard three shots, saw the President slump over in his car, and that he also saw smoke in front of the depository, which was rising from the trees. (369) Potter gave no other details about the location of the smoke. In the interview, Potter also mentioned seeing the policeman leave his motorcycle and run up the knoll, (370) but he did not describe the smoke as being in the area of the motorcycle.

(136) Neither Simmons nor Potter testified before the Warren Commission.

(137) Based on the statements of these witnesses, if the smoke they reported was in fact the result of gunfire, it would have originated in the area of the top of the grassy knoll. There is no way of determining what type of ammunition was used in that "gunfire" so that it can be stated conclusively whether the smoke seen by the witnesses is consistent with smoke produced by the type of ammunition used in any gunfire from the knoll. Nevertheless, a firearms expert engaged by the committee explained that irrespective of the exact type of ammunition used, it would be possible for witnesses to have seen smoke if a gun



had been fired from that area. According to the expert, both "smokeless" and smoke-producing ammunition may leave a trace of smoke that would be visible to the eye in sunlight. (371) That is because even with smokeless ammunition, when the weapon is fired, nitrocellulose bases in the powder which are impregnated with nitroglycerin may give off smoke, albeit less smoke than black or smoke-producing ammunition. (372) In addition, residue remaining in the weapon from previous firings, as well as cleaning solution which might have been used on the weapon, could cause even more smoke to be discharged in subsequent firings of the weapon. (373)

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