

## 2 Where the Shots Came From

*No credible evidence suggests that the shots were fired from the railroad bridge over the Triple Underpass, the nearby railroad yards or any place other than the Texas School Book Depository Building.*

—Warren Commission Report<sup>1</sup>

*In contrast to the testimony of the witnesses who heard and observed shots fired from the Depository, the Commission's investigation has disclosed no credible evidence that any shots were fired from anywhere else.*

—Warren Commission Report<sup>2</sup>

To conclude that 'no credible evidence suggests' that shots came from any place other than the Book Depository is to ignore the evidence of Miss Mercer, Bowers, Price, Holland, Deputy Constable Weitzman and the railroad yardman who spoke with him. Yet the statements of these six corroborate and are consistent with one another. For testimony to be so compatible, the common denominator—bar perjury—must be truth. The Commission's apparently arbitrary rejection of such testimony reflects more damagingly upon itself than upon the credibility of the witnesses, for, in fact, nearly 100 other persons believed that the shots came from the knoll.

The Commission knew the names of at least 266 witnesses present at the scene of the assassination.\* Two hundred and fifty-

\* More than 400 people were in or around Dealey Plaza when the assassination occurred. Many were spectators, some were in the motorcade, a number were reporters and others were local or federal police assigned to protect the President. All were witnesses.

The Commission neglected to publish a compilation of the persons known to have been present at the scene of the assassination. However, by utilizing the information contained in the 26 volumes of evidence, supplemented in 11 instances by newspaper accounts, it was possible to compile a list of 266 persons who were present in the vicinity of Dealey Plaza at the time of the assassination. This list appears as Appendix 1.

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nine were able to testify \* Twenty-three witnesses appeared before at least one member of the Commission;<sup>6</sup> 58 additional witnesses were questioned by Commission counsel;<sup>7</sup> and 123 additional witnesses were questioned at one time or other by the Dallas police, the Dallas County Sheriff's office, the FBI or the Secret Service.<sup>8</sup> Fifty-five persons whose names were known and who were present at the scene of the assassination apparently were never interviewed by local or federal authorities.<sup>9</sup>

In the case of 68 persons called as witnesses or interviewed by the police (including the FBI and the Secret Service), the examiner forgot or neglected to ask the witness from where he thought the shots came.<sup>10</sup> Of the 90 persons who were asked this important question and who were able to give an answer,† 58 said that shots came from the direction of the grassy knoll and not from the Book Depository Building, while 32 disagreed.<sup>13</sup> Thus, almost two-thirds of those who expressed an opinion supported the evidence given by Miss Mercer, Bowers, Price, Holland and Weitzman.

It is also important to note that almost half of those who did not agree with the majority were in the motorcade.<sup>14</sup> Their testimony must be evaluated carefully since the vehicles were moving, making it difficult to ascertain the origin of the sounds. Furthermore, almost all of the dissenting motorcade witnesses—13 out of 15—were Government officials, their wives or aides, or local or federal police.<sup>15</sup> I do not wish to suggest that their testimony should be dismissed, but it should be cautiously assessed because of the obvious possibility that it might be colored.

Even among the minority of 32 who did not agree that the shots came from around the knoll, there are some whose testimony is absolutely inconsistent with the Commission's conclusion that all of the shots originated at the southeast corner window of the sixth floor of the Book Depository. For example, witnesses on the fifth floor of the building stated that when the shots were fired, they thought at first that the cause of the sound was a motorcycle or automobile backfire.<sup>16</sup> Obviously, although they may now state

\* One of the 266 witnesses was physically disabled and heard no shots;<sup>3</sup> one, a Dallas policeman on the Triple Underpass, said that a train passed between him and Dealey Plaza at the critical moment;<sup>4</sup> and five of the witnesses were children five years old or less.<sup>5</sup>

† Two witnesses said they heard no shots<sup>11</sup> and 46 witnesses said that they could not place the origin of the shots.<sup>12</sup>