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Rebuttal

RUSH TO JUDGMENT, by Mark Lane. New York: Holt, Rinehart and Winston, \$6.95.

At midnight, the small park formed by the convergence of Elm, Main and Commerce Streets was shadowy and deserted in the drizzling summer rain. Leaving our car parked in front of the darkened Texas School Book Depository, we walked with an artist companion down the gently sloping bloody ground where the emotional equilibrium of our generation had been irrevocably altered, angling toward the railroad trestle that marks the end of downtown Dallas.

We had not been to Dealey Plaza since Nov 22, 1963. Fighting to hold back the hot flood of tears scalding our eyes, we kept thinking of the troubling, painful book we'd steeled ourself to finish that afternoon, and remembering the final stanza of Wendell Berry's touching elegy, "November Twenty Six Nineteen Hundred Sixty Three":

"We know — The long approach — Of summers toward the — healed ground — where he will be waiting, — no longer the keeper — of what he was."

SUBTITLED "A Critique of the Warren Commission's Inquiry Into the Murders of President John F. Kennedy, Officer J. D. Tippit and Lee Harvey Oswald," New York attorney Mark Lane's sober, meticulously-documented post mortem on the evidence pointing to Oswald as Kennedy's lone, unaided assassin unquestionably will jar the peace of mind of most people who have accepted the findings of the Warren Report as substantiated fact.

The conclusions of the Warren Report, Lane charges, are based on carefully selected evidence, whereas the full range of testimony and exhibits gathered and issued by

the commission in 26 fat volumes doesn't necessarily support those same conclusions.

Summarizing Lane's brief in an introduction, Prof Hugh Trevor-Roper observes: "The pattern which (the writers of the Report) have extracted from the evidence is certainly a pattern which can be made to emerge from it; but it does not emerge naturally, or from all the evidence: It has been coaxed and forced by a process which, had there been an advocate on the other side, might well have been totally discredited before judgment could be given.

"THE WORST that can be said of Mr Lane is that he is the necessary advocate; and who can deny that his advocacy might have prevailed?"

Reflecting on the skewered cadaver of the commission's Report after Lane's ruthless dissection, one wonders who, indeed; for in the course of his footnote-bristling analysis, the attorney convincingly stirs grave doubts concerning the commission's fundamental hypotheses — which range from "probable" to "possible" to "conceivable" — on such vital points as the sequence of the shots, the interval between them, their direction, from what weapon they were fired, the shooting ability of the alleged assassin, and the way in which the president's murder suspect was identified when the police first ordered his arrest.

NEEDLESS TO say, as Lane makes clearer than any previous critic of the Report has done, if any one of these guesses should be wrong — and one would be sufficient — the whole structure of the commission's findings would disintegrate, plunging the world back into abysmal ignorance about the most traumatic crime of the century.

Maintaining an air of calm, detached credulity in his dispassionate examination of factual evidence and discrepancy of testimony, Lane wisely eschews shoring up the reflex-like "capitalist conspiracy" theory trumpeted around the world as leftist party-line gospel in the first stunned wake of the assassination.

The result is that "Rush to Judgment" emerges as a compelling, powerful and patriotically impassioned plea in behalf of the unvarnished truth — however appalling, at whatever cost.

"Except the Lord keep the city," Kennedy intended to quote from the Book of Psalms in Dallas, "the watchman waketh but in vain." And unless the people search for and keep the truth, Lane clearly intends to warn, the watchman need never wake at all. **GROVER LEWIS**