

# Harper's

magazine

## The Assassination: Some Serious Exceptions to the Warren Report

by Roger Butterfield

**Inquest: The Warren Commission and the Establishment of Truth**, by Edward Jay Epstein. Viking, \$5.  
**Rush to Judgment**, by Mark Lane. Holt, Rinehart and Winston, \$5.95.  
**The Oswald Affair: An Examination of the Contradictions and Omissions of the Warren Report**, by Léo Sauvage. World, \$6.95.  
**Whitewash**, by Harold Weisberg. Privately printed.

These books all deal, in different ways, with the many loose ends and conflicts of evidence which were swept under the rug by the Warren Commission in reaching its unanimous conclusions about the assassination of President Kennedy. Mr. Epstein's *Inquest* is the most effective indictment yet of the Commission's methods and findings. It is clearly written, concise, and logical; it avoids polemics or legalistic nit-picking; the author takes note of the fact that the Commission was hurried in its work by strenuous political pressure. But he pulls no punches in labeling its entire investigative effort "extremely superficial" in explaining why he

finds parts of its famous Report "inaccurate," "misleading," "dubious," and (in words quoted from one of the Commission's lawyers) "simply dishonest." Mr. Epstein began this study as a master's thesis in government at Cornell; he is obviously a talented

young man who knows now to win friends and influence people to talk. In his role as inquiring scholar he obtained significant interviews with five of the Commission's seven members (all except Chief Justice Warren and Senator Richard B. Russell) and with ten key members of the Commission's staff. An interesting statistic which he brings out is that four of the Commission members were so busy with other government duties that they heard less than half the testimony given; Senator Russell, for instance, heard only 6 per cent, while Allen Dulles, who attended more hearings than any other member, heard 71 per cent.

*Inquest* is the first book I have read which offers reliable information about maneuvers, debates, and double-crosses within the Commission itself. For ample, readers of the Warren Report

may recall it admitted "some difference of opinion" about what has come to be the most crucial point in the case—i.e., whether Governor Connally's wounds were caused by a bullet that passed through the President's body or by a different bullet.

We learn now that "difference of opinion" was a mild way of putting it. Mr. Epstein, citing his interviews, tells us that two members of the Commission, Senator John Sherman Cooper and Representative Hale

Roger Butterfield, a former editor of "Life," and author of "The American Past," has studied and written about all four assassinations of U. S. Presidents.

Boggs, still do not believe the one-bullet theory, while a third member, Senator Russell, reportedly refused to sign the Report if it concluded that both men were hit by a single bullet. This strong dissent within the Commission—equivalent to a hung jury in a real murder trial—was glossed over and concealed from the public by a shuffle of adjectives. The majority offered to say there was *compelling* evidence in favor of the one-bullet theory; Senator Russell suggested *credible* instead (although it was not *credible* to him); and the staff members who wrote the Report finally came up with a phrase—"there is very

persuasive evidence to indicate that the same bullet which pierced the President's throat also caused Governor Connally's wounds"—which all seven members agreed to sign.

(One witness who was never persuaded was Governor Connally, who told the Commission he heard two shots fired, and distinctly heard two bullets strike the President, but that neither one had an effect on him. In between those two shots the Governor was wounded, and fell over into his wife's arms. He did not hear the shot which struck him because "any rifle has a velocity that exceeds the speed of sound" and "I was hit prior to the time the sound reached me, and I was either in a state of shock or the impact was such that the sound didn't even register. . . ." Which sounds very reasonable, along with the testimony of

Mrs. Connally, who said she turned and saw the President holding his hands to his wounded throat before her husband was hit, and the testimony of Connally's doctors, who studied the movie-film evidence, and declared the Governor was not hurt until at least six frames after Kennedy was wounded, and also the evidence of more than one hundred eyewitnesses, not one of whom testified that both men were hit by the same bullet.)

Why is the single-bullet theory important? Because the amateur movie film, made by Abraham Zapruder of Dallas, shows Governor Connally affected by his wounds about one second after the first shot struck the President. It was impossible for a single rifleman to fire two bullets in such a short time. All the experts, and all members of the Commission, are agreed on this. So either one bullet struck both men, or there were two assassins.

You can read a great deal about this controversy in all four books that are listed above. I find Mr. Epstein's account the most enlightening and the easiest to follow. With his inside knowledge of the Commission's personnel and their methods, he is able to trace the evolution of the single-

built a hypothesis from a conversation in March 1964 between a Commission lawyer (Arthur Specter) and two Navy doctors (Commanders James J. Humes and J. Thornton Boswell) who performed the autopsy on the President. At first, according to Specter, the idea of the single bullet—and of a "delayed reaction" by Governor Connally—was suggested by Humes. Later it was imbedded in the Commission's hearings as a "possibility" acknowledged by several witnesses. One not so favorable opinion was expressed by Robert Frazier, an FBI ballistics expert: "I would certainly say it was possible but I don't say that it probably occurred because I don't have the evidence on which to base a statement like that." Despite this clear disavowal, the Warren Report, on page 205, states: "Frazier testified that the bullet which first hit Kennedy probably struck Governor Connally."

There are other objections to the single bullet theory that are not pleasant to think about. There is the problem of the President's wounds—not the fatal wound which shattered his skull, but the earlier wounds in his back and throat which caused him to clutch at his neck before the final bullet was fired. Conflicting descriptions of these lesser wounds, and the definite marks they made on his clothing, simply do not agree with the Commission's conclusion that they were "probably" caused by a single bullet which then traveled on and inflicted all three of the Governor's wounds. And it is now too late to obtain any clearer medical evidence.

Many similar discrepancies—mostly trivial, and some serious—can be found in the twenty-seven volumes published by the Warren Commission, and in other investigations of the case. Yet the circumstantial evidence still points overwhelmingly to Lee Harvey Oswald as a deliberate participant (and so far as we know the only one) in the killing of President Kennedy. None of the Commission's critics has produced a glimmer of evidence that would justify accusing anyone else. The theory of a "second Oswald," with a wife who looked like Marina, who went around Texas giving his name to people, and then committed the murder, while the real Oswald rushed out on the street and deliberately got himself arrested,

must be the pipe dream of a sick humorist. And the "Texas oil millionaire," beloved by European newspaper readers, who supposedly paid Oswald to take the rap, has never been named or approximately identified. It is impossible to picture him keeping silence and rubbing his hands with secret glee at getting away with this crime.

No, the assassins of Presidents can only complete their act by taking credit in public and declaring their reasons. Even John Wilkes Booth accomplished that from the stage of Ford's Theatre. I believe Oswald would have done the same if he had lived a little longer. And I don't think for a moment that Jack Ruby had any motive for shooting Oswald other than a warped yearning for self-glorification.

One reason I like Mr. Epstein and Inquest is that he has no pet theories to peddle. He adds up the tough facts that historians must cope with for a long time to come. Mr. Mark Lane, in

his book *The Oswald Affair* is a theory that does not make sense to me, namely, that Oswald was innocent. His book is an argument for the defense, very earnest and competent, but admittedly one-sided pleading.

Mr. Sauvage's *The Oswald Affair* is the work of a French journalist who investigated the Kennedy murder on his own and collected bits of evidence that are not easily available elsewhere. He is addicted to mystery—"The Chicken Bones Mystery," "The Italian Rifle Mystery," "The Mystery of the Russian Widow," and so on—but his book will interest you if you have an insatiable appetite for details. Mr. Weisberg's self-published *White Wash* brings up the rear of this list and, I fear, deservedly so. Its style and regard for facts can be represented by one short quote: "If the Tippit murder had not happened, it would have had to have been invented." There is reason to believe that an effect it was.