

Photo Taken When Kennedy Was Assassinated Sets Off a Controversy

By PETER KHSS

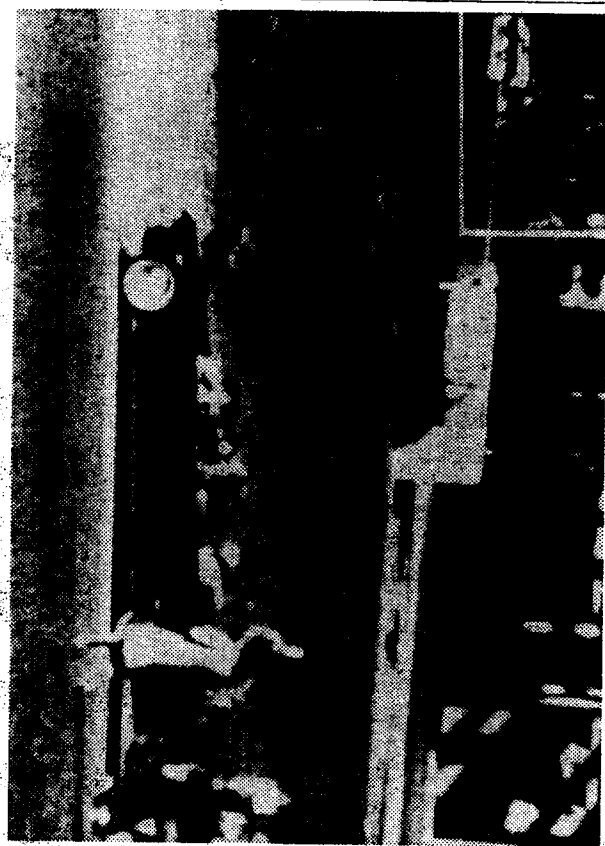
A controversy over whether a photograph showed a man aiming a rifle in front of President Kennedy the day he was killed in Dallas was stirred up yesterday by Esquire magazine.

The magazine's report brought quick dissent from United Press International from whose files the picture came. The news service quoted Jack V. Fox, a staff correspondent, as having said that "if the picture is studied long enough one can believe that he sees" a rifleman with sunglasses leaning on top of a station wagon—but one can also imagine a white-faced steer staring down."

The news agency added that Mr. Fox, after an investigation of various challenges of the Warren Commission report and talking with eyewitnesses, reported on June 27 that "he personally was satisfied" with the commission's findings. The commission, headed by Chief Justice Earl Warren held that Lee Harvey Oswald was the lone assassin of the President on Nov. 22, 1963, firing from the sixth floor of a building behind the Kennedy car.

In a press release concerning its December issue out today, Esquire said the picture "appears to confirm the existence of an assassin now at large." But late yesterday, John Berend, an associate editor, said the press release was "perhaps a bit too positive." The magazine, he said, was standing in line on the text of an "impartial" article that offered the photograph as part of a "second-assassin theory" in the magazine of 30 detailed "assassination theories."

The controversy arose over the frame of an eight-millimeter color film by Orville O. Nixon a Dallas employe of the Federal General Services Ad-



Picture at left, from files of United Press International, is said by Esquire Magazine article to show (upper left corner) a vehicle with a man leaning on its roof at moment President Kennedy, in car in foreground, is being shot. Picture at right is a blowup from the section in question.



ministration. This showed a ture indicated a second slayer. Hence along a grassy knoll and, Mr. Berend said the word, "pro- when enlarged, behind it whatponents" was meant to refer to the article said was "in fact a persons who worked on "track- vehicle" with a man leaning on ing down" a theory, even if "right now they may feel dif- ferently."

Back Up Report

The Esquire article said S. M. Holland, a railroad signal supervisor, had told Mr. Fox he had heard a shot from behind the fence as well as three shots from the Texas Book Depository, where Oswald was en- trenched late last month and scheduled for broadcast at noon last Sunday, after having been marks on its bumper as if some- one had stood on it.

United Press International in a statement said the Warren commis- sion reported they stood by its article "states erroneously that findings after having examined three U.F.I. editors are propo- sitions of a theory that the pic- panelists, Mark Lane and Ed-

ward Jay Epstein, authors re- and behind." He said Federal within the framework of the Bureau of Investigation reports differing from an autopsy re- port were by agents who never saw X-rays of photographs of report, there is enough evidence of the Legal Aid Society of Cleveland, who said the two authors had pointed out "loose overheard some conversations" but he remained bothered by central or Germane." The other was Wesley J. Liebeler, now professor of law at the Univer- sity of California in Los Angeles who said the Warren inquiry had been "thorough" and some- times the report "didn't re- fleet" all the evidence in the record.

Mr. Griffin said "the medi- cal evidence does establish that all the shots came from above."

Mr. Griffin said "Mr. Lie- beler said 'I provided a very adversary system for the other side.'"

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