

Death of JFK: Stormy story

By RELMAN MORIN

NEW YORK (AP) — To many persons, the assassination of President John F. Kennedy still remains an absorbing mystery, an incredibly complex (and potentially lucrative) detective story in which the last chapter is yet to be written.

The ghost walks despite the fact that the Commission headed by Chief Justice Earl Warren investigated the case for 10 months, examined mountains of subjective and objective evidence, and then issued a report containing these principal conclusions:

- Lee Harvey Oswald fired the rifle that killed Kennedy and wounded Texas Governor John B. Connally, shooting from a window position behind the car in which they were riding.

- Oswald acted alone from motives unknown; no foreign or domestic conspiracy brought about the assassination.

- Oswald was not acquainted with Jack Ruby, the Dallas nightclub operator, who shot him to death two days later outside the Dallas Police and Courts Building.

The Warren Commission issued its report Sept. 24, 1964, officially closing the case.

Since then, however, doubts have been expressed by lawyers, writers and at least one historian. Books challenge the Commission's over-all conclusions, and questioning the subsidiary findings on which they were based, regularly come off the presses. The latest "Rush to Judgment," by attorney Mark Lane, is to be issued tomorrow.

Lane says he became in-

involved in the case in response to a request from Mrs. Marguerite Oswald who said to him in December, 1963, "will you be my son's lawyer before the Warren Commission?"

INFORMATION IGNORED?

Lane writes that he interviewed numerous persons who, in his judgment, had important information about the assassination but were not called to testify before the Commission.

Why? He states the core of his contention in the words, "I believe that . . . the report of the President's Commission . . . is less a report than a brief for the prosecution. Oswald was the accused; the evidence against him was magnified, while that in his favor was depreciated, misrepresented or ignored."

Elsewhere, Lane contends that the Warren Report was designed mainly to be a kind of tranquilizer for the nation, to assure millions of Americans that no conspiracy accounted for Kennedy's assassination. He wrote, ". . . and such an effort could be successful only if the Commission found that the lone assassin had been apprehended. A finding indicating that unknown assassins were still at large would have offered little assurance."

BRITON'S VIEW

Similarly, in the book's foreword, the British historian, Prof. Hugh Trevor-Roper, wrote, "The writers of the report have selected such evidence as may seem to sustain their conclusion. They have chosen to ignore a great deal of evidence

which does not support but even traverses that conclusion."

Of the many points raised in Lane's book, these are some of the major ones:

- Direction of the shots that struck Kennedy and Connally:

The Warren Commission concluded that Oswald fired at the President's car from the sixth floor of the Texas Book Depository Building. The car was moving away from the window. Lane points a finger at a grassy knoll toward which the car was approaching. He writes, "witnesses heard shots come from the knoll. Witnesses saw smoke on the knoll. One witness even smelled gunpowder behind the fence."

This would suggest that Kennedy was caught in a cross-fire, with bullets striking front. The Warren Report said, "In contrast to the testimony of the witnesses who heard and observed shots fired from the depository, the Commission's investigation had disclosed no credible evidence that any shots were fired from anywhere else."

- Oswald is a marksman: The Commission reported that Oswald qualified as a "sharpshooter" in the Marine Corps in 1956, and quoted a Marine sergeant who reviewed Oswald's scores, "I would say in the Marine Corps, he is a good shot, slightly above average . . ."

Lane quoted one of Oswald's fellow Marines, Nelson DeJagado, as saying, "It was a pretty good joke, because he got a lot of 'Maggie's drawers,' you know, a lot of misses, but he didn't give a darn."

- Accuracy of the Mannlicher-Carcano rifle:

Lane quotes from a magazine article dated October, 1964, which calls this rifle ". . . crudely made, poorly designed, dangerous and inaccurate . . . unhandy, unreliable on repeat shots, has safety design fault."

The Warren Report said "the various tests showed that the Mannlicher - Carcano was an accurate rifle and that

the use of a four-power scope was a substantial aid to rapid, accurate firing."

• The number of shots fired and the speed of firing:

In a pre-publication statement, Lane wrote "in the face of irrefutable testimony showing that at least four shots were fired, the Commission held that just three had been fired. Clearly, if Oswald was the lone assassin and if he employed the rifle the Commission claimed he had, it would have been impossible for him to have fired more than three shots in less than six seconds."

Referring to tests of the rifle, set up to simulate conditions which the Commission said Oswald would have encountered, the Warren Report said "all three of the firers in these tests were able to fire the rounds within the time period which would have been available to the assassin under those conditions."

Lane wrote, "Asked specifically about the existence of a palm print on the weapon (Sebastian) Latona (an FBI expert) replied that when he conducted his examination of the weapon at the FBI laboratory he found no trace of one."