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Lawyer's Book Raises New Points

Warren Report Findings Questioned

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NEW YORK — To many persons, the assassination of President 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, then issued a report in 1964 containing these principal conclusions:

- 1) Lee Harvey Oswald fired the rifle that killed Kennedy and wounded Texas Gov John B. Connally, shooting from a window position behind the car in which they were riding.
- 2) Oswald acted alone from motives unknown; no foreign or domestic conspiracy brought about the assassination.
- 3) Oswald was not acquainted with Jack Ruby, the Dallas nightclub operator, who shot him to death two days later.

SINCE THEN, however, doubts have been expressed by lawyers, writers and at least one historian. Books challenging 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 Monday.

Lane says he became 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?"

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 Mr 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."

OF THE MANY points raised in Lane's book, these are some of the major ones:

Direction of the shots that struck Mr 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 Mr Kennedy was caught in a cross-fire, with bullets striking him from behind and in front. The Warren Report said, "The Commission's investigation had disclosed no credible evidence that any shots were fired from anywhere else" than the depository building.

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, ac-

curate 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."

THE QUESTION of fingerprints on the rifle—

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."

The Warren Report said, "The Dallas police developed by powder some faint ridge formations on the metal magazine . . . The faint ridge formations were insufficient for purposes of effecting an identification, but the latent palm print was identified as the right palm of Lee Harvey Oswald."

And so on, through the maze of testimony, through the multiplicity of details surrounding the assassination, Lane raises questions.

WAS THE BULLET wound in Mr Kennedy's throat an exit or an entrance wound? If it was an entrance wound, it could not have come from the window of the building where the commission said Oswald stationed himself. If it was an exit wound, caused by a bullet fired from behind the President, would it not have been a wider gash?

Did the same bullet strike both Mr Kennedy and Connally, as the commission con-

cluded, or were they hit by separate shots?

Concluding his summation of the Warren Report, Lane wrote, "Hearsay evidence was freely admitted, while crucial eyewitness testimony was excluded. Opinions were sought and solemnly published while important facts were rejected, distorted or ignored. Dubious scientific tests were said to have proved that which no

authentic test could do . . . Those few (witnesses) who challenged the government's case were often harassed and transformed for the time being into defendants . . ."

ALL THIS IS emphatically denied by Congressman Gerald R. Ford of Michigan, who was a member of the Warren Commission. "The conclusions of the Warren Commission were valid when published

and they are valid today," he said.

Countering Lane's contention that the commission had pre-judged Oswald's guilt,

then set out to prove it, Ford said, "That's just not a fact. I know of nothing that deviated from our basic mission — to find out the truth."