Volume VII, Number 1 July 28, 1966 35c

Cecil Fritz 11/20-21/63 Italy Circle Jay Hunter Fort Worth

The New York Review of Books

holding gun cid 1440 CDC
Cyril mom told her call FBI if anything happened to him

A Special Feature

checked car US reg for registration

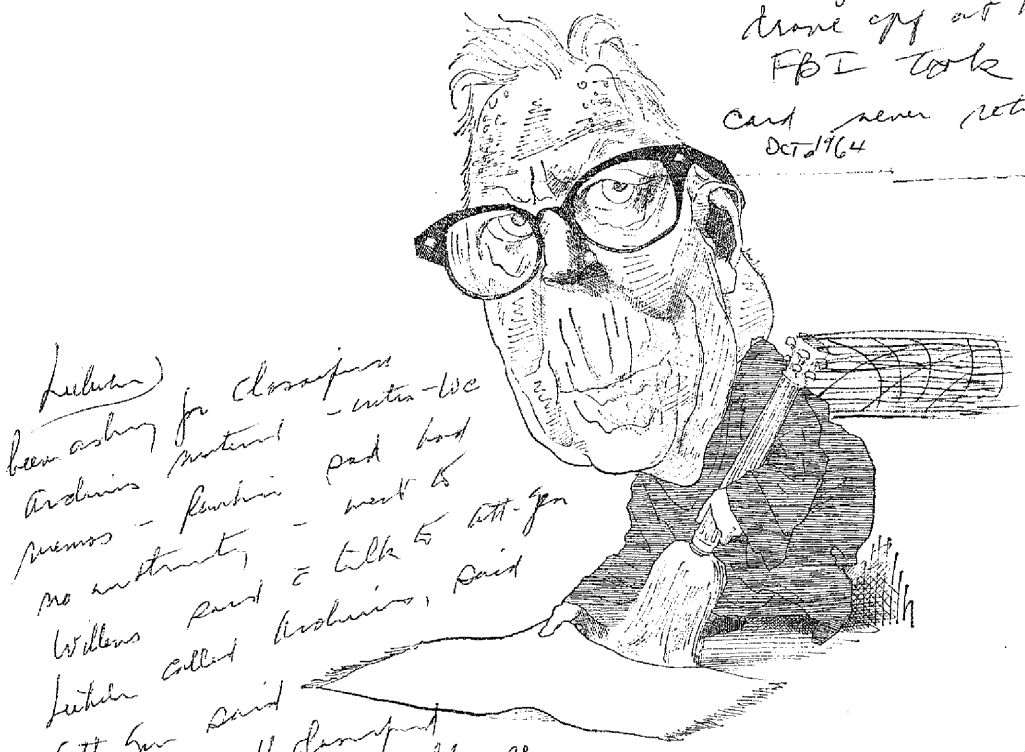
THE SECOND OSWALD:

did not jibe 2 reg on register

A New Theory of Kennedy's Assassination

Asked where JFK and Connal

where Arnpint lives
drove off at high speed
FBI took register
Card never returned
OCT 1964



Luther) been asking for classified anti-Lee Arabian material guerrillas - Russian pad had no instructions - went to Walters paid 2 talk to Att-Gen Luther called Arabian, paid Att Gen said make all deleted stuff available per some security guidelines as for general other material

Claude Levi-Strauss: The Future of Anthropology

V. S. Pritchett on Balzac

A. J. P. Taylor on the Irish

The Second Oswald: The Case for a Conspiracy

Inquest
by Edward Jay Epstein.
Viking, 224 pp., $5.00

Whitewash
by Harold Weisberg.
Harold Weisberg (Hyattstown, Md.),
208 pp., $4.95 (paper)

Richard H. Popkin

Theory

In one of Victor Serge's last works, *The Case of Comrade Tulayev*, written over fifteen years ago, the Russian equivalent of the Oswald story is set forth. An alienated young man, unhappy with the many aspects of his life in the Soviet Union—the food, his room, his job, etc.—acquires a gun, and manages to shoot Commissar Tulayev one night when he is getting out of a car. An extensive investigation sets in, followed by an extensive purge. Millions of people are arrested and made to confess to being part of a vast conspiracy against the government. The actual assassin is, of course, never suspected, since no one can imagine him as a conspirator. He continues to lead his alienated unhappy life, while the government uncovers the great plot.

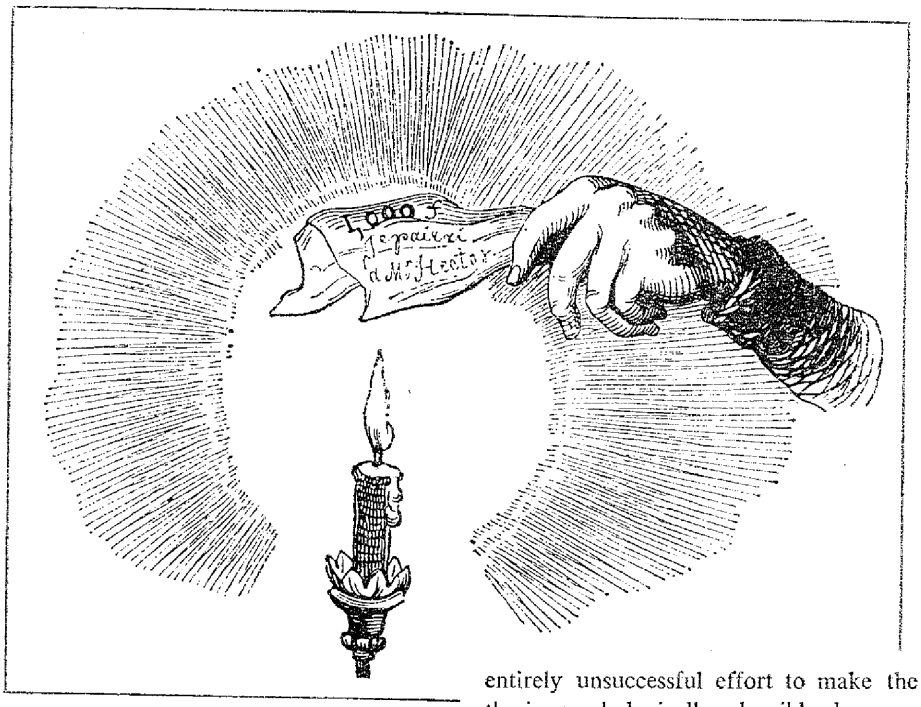
In contrast, when John F. Kennedy was assassinated, a solution emerged within hours: one lonely alienated man had done the deed all by himself. The investigation by the Dallas Police and the FBI then proceeded to buttress this view, and to accumulate all sorts of details about the lone assassin, some false (like the murder map), some trivial (like his early school records), some suggestive (like the bag he carried into the Book Depository), some convincing (like the presence of his rifle and the three shells). From its origins in Dallas on the night of November 22, 1963, the career of the theory of a single conspirator indicates that this was the sort of explanation most congenial to the investigators and the public (although the strange investigation of Joe Molina, a clerk in the Book Depository, from 2 A.M. November 23 until the end of that day, mainly for his activities in a slightly left-wing veterans' organization, suggests a conspiratorial interpretation was then under consideration).

THE WARREN COMMISSION, after many months of supposed labor and search, came out with an anticlimatic conclusion, practically the same as that reached by the FBI in its report of December 9, 1963, except for details as to how it happened. The Commission, clothed in the imposing dignity of its august members, declared its conviction that one lone alienated assassin, Lee Harvey Oswald, had indeed carried out the crime.

The ready acceptance of this by then expected finding by the press and the public—except for a few critics—suggests that the American public got the kind of explanation it wanted, and perhaps deserved. For almost everyone the points that suggested a conspiratorial explanation were either disposed of by the "careful" work of the Warren Commission and the FBI, or by a faith that had grown up about the *Report*. Some

of the early critical questions suggesting a conspiratorial explanation (raised by Buchanan, Joesten, Sauvage, Bertrand Russell, Trevor-Roper, etc.) were shown to be based on misinformation or misunderstandings, the result mainly of what the Dallas Police had said, or what had appeared in newspaper accounts and interviews. Other questions, based on the *Report* itself and what it failed to resolve (raised by Leo Sauvage, Salandria, Sylvan Fox, etc.), were swept aside by faith—faith, first of all, that these matters *must* have been settled by the mass of data in the twenty-six supplementary volumes of testimony, depositions, and documents. The twenty-six volumes seemed to be so imposing, and were, in fact, so impenetrable, that they resolved all doubts. Finally, as Dwight Macdonald pointed out, if the critics of the *Report* and of the evidence in the twenty-six volumes supposedly supporting it managed to reveal how tendentious, one-sided, and inadequate some of the solutions were, the ultimate faith of the public rested on the integrity of Justice Warren and his fellow commissioners, the capabilities of the FBI and of the Commission lawyers. It was just too implausible that such irreproachable talent could have doctored the case, or have come to the wrong conclusion.

Serge's Russia could only see an assassination as part of a grand conspiracy. The western European critics can only see Kennedy's assassination as part of a subtle conspiracy, involving perhaps some of the Dallas Police, the FBI, the right-wing lunatic fringe in Dallas, or perhaps even (in rumors I have often heard) Kennedy's successor. Thomas Buchanan, in his otherwise far-fetched work, *Who Killed Kennedy?*, shows that it is part of the American tradition always to regard Presidential assassination as the work of one lone nut, no matter how much evidence there may be to the contrary. There seems to have been an overwhelming national need to interpret Kennedy's demise in this way, and thus the irresistible premise of the investigators, almost from the outset, was that Oswald did it all, all by himself (as Ruby was believed to have done it all, all by himself). Congressman Ford's book, *Portrait of an Assassin*, is a valiant and not entirely unsuccessful effort to make the thesis psychologically plausible by constructing an Oswald in turmoil looking for his moment of glory. Representative Ford also goes so far as to blame the conspiracy theories on one lone woman, Mrs. Marguerite Oswald, and to act as if there were no reason whatever, save for the alienated confused mind of Mrs. Oswald, Senior, ever to doubt that one lone assassin thesis.



HOWEVER, THE "OFFICIAL" THEORY was in many ways implausible. It involved a fantastic amount of luck. If the FBI and Warren Commission reconstructions were correct, Oswald had to get the rifle into the building without attracting attention. Only two people saw him with a long package, and none saw him with it or the rifle in the building. He had to find a place from which he could shoot unobserved. The place, according to the "official theory," was observed until just a few minutes before the shooting. He had to fire a cheap rifle with a distorted sight, old ammunition, at a moving target in minimal time, and shoot with extraordinary accuracy (three hits in three shots, in 5.6 seconds, according to the FBI; two hits in three shots in 5.6 seconds, according to the Commission). If the "official theory" of the Commission is right, Oswald had no access to the rifle from mid-September until the night before the assassination, and had no opportunity whatsoever to practice for at least two months. Having achieved such amazing success with his three shots, Oswald then was somehow able to leave the scene of the crime casually and undetected, go home, and escape. But for the inexplicable (according to the "official theory") Tippit episode, Oswald might have been able to disappear. In fact, he did so after that episode, and only attracted attention again because he dashed into a movie theater without paying.

The critics have argued that the Commission's case against Oswald, if it had ever been taken to court, would have collapsed for lack of legal evidence. A legal case would have been weakened by sloppy police work (e.g., the failure to check whether Oswald's gun had been used that day), confused and contradictory reports by witnesses (e.g., the mistaken identification of Oswald by the bus driver), and questionable reconstructions by the Commission (e.g., testing the accuracy of the rifle with stationary targets). The *Report* (against the better judgment of at least two of the Commission's staff, Liebeler and Ball) had to rely on some of the shakiest witnesses, like Brennan and Mrs. Markham. It also had to impeach some of its best, like Wesley Frazier.

The critics were still dismissed. This was not, I suspect, simply because it was more difficult to believe that the Commission, its staff, and the FBI could be in error than it was to accept a counter-explanation, as Dwight Macdonald contended in *Esquire*. It was also because the critics had no counter-theory that was better than science fiction, no explanation less implausible than that of

the *Report*.

TWO BOOKS JUST PUBLISHED move the discussion to a new level. Harold Weisberg's noisy, tendentious *Whitewash* (which, for some good and probably many bad editorial reasons, no publisher would touch) is nevertheless the first critical study based on a close analysis of the twenty-six volumes themselves. Edward Jay Epstein's *Inquest*, a remarkably effective book, presents startling new data about the internal workings of the Commission. In addition, two recent articles by Vincent Salandria in *The Minority of One* and those by Fred Cook in *The Nation* raise important questions. This material suggests not that the "official theory" is implausible, or improbable, or that it is not legally convincing, but that by reasonable standards accepted by thoughtful men, it is impossible, and that data collected by the FBI and the Commission show this to be the case.

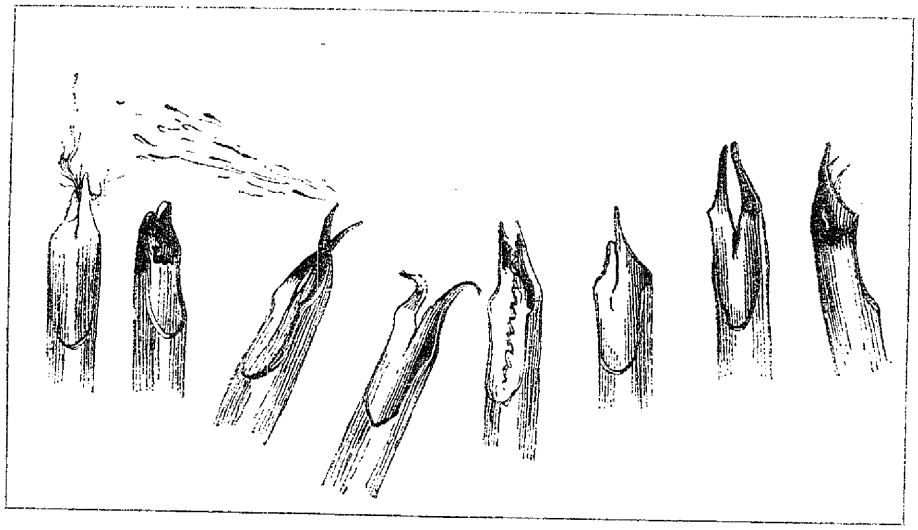
Before these writings appeared, there were already strong reasons for doubting that Oswald did the shooting alone, or at all. The majority of eye- and ear-witnesses who had clear opinions as to the origins of the shots thought the first shot was from the knoll or the overpass (and these witnesses included such experienced hands as Sheriff Decker, the sheriff's men standing on Houston Street, diagonally across from the Book Depository, Secret Service Agent Sorrels, and many others). All of the Commission's obfuscation notwithstanding, Oswald was a poor shot and his rifle was inaccurate. Experts could not duplicate the alleged feat of two hits out of three shots in 5.6 seconds, even though they were given stationary targets and ample time to aim the first shot, and had partially corrected the inaccuracy of the sight for the test. No reliable witness could identify Oswald as the marksman. No one saw him at the alleged scene of the crime, except Brennan, who did not identify him later on in a line-up. Hardly enough time was available for Oswald to hide the rifle and descend to the second floor, where he was seen by Policeman Baker. No one saw or heard Oswald descend. And a paraffin test taken later that day showed positive results for nitrates on Oswald's hands, but negative ones on his cheek. All of this indicates that Perry Mason, Melvin Belli, or maybe even Mark Lane, could have caused jurors to have reasonable doubts that Oswald did the shooting, or did all of the shooting. But none of this shows absolutely that Oswald could not have done it. He might have had fantastic skill and miraculous luck that day, and might have outdone the experts. He had an amazing talent for getting from place to place unobserved and unaccountably, and it could have been successfully employed at this time. The FBI and the Commission tell us a paraffin test is inconclusive (but then why do police forces use it?).

The "hard" data relied on by the Commission are that Kennedy was hit twice and Connally at least once; that Oswald's rifle was found on the sixth floor; that three shells ejected from Oswald's rifle were found by the southeast window of the sixth floor; that Oswald's palm print is on an unexposed portion of the rifle; that his prints are on some of the boxes found near the window; that ballistics experts say that the distorted bullet fragments found in Kennedy's car are from Oswald's rifle; that the almost complete bullet No. 399 found in Parkland Hospital (whose strange history and role will be discussed later) was definitely shot from Oswald's rifle; that Oswald was observed by at least five people in the building between 12:00 and 12:30, plus or minus a few minutes—two saw him on the first floor around noon, two report him on the fifth and sixth floor around this time, and Baker saw him right after the assassination on the second floor; and that Oswald left the building around 12:33 and went to Oak Cliff. (One might add some of the data on Tippit's murder as "hard fact" but Oswald's role in this incident is too much in dispute.) All of this certainly made a suggestive case that, difficulties notwithstanding, all of the shooting—three shots—was done by Oswald with his own rifle.

NOW THE MATERIAL presented by Epstein and Salandria, and to a lesser extent by Cook and Weisberg, undermines the Commission's case in two ways. First, they closely examine both the sequence of the shots and the available medical evidence in order to demonstrate that all three shots could not have been fired by Oswald. Secondly, they show that the Commission's theory is in conflict with the FBI's on a number of crucial points: Indeed, one can only conclude either that both theories, considered together, are impossible, or that they establish that more than one assassin was firing at the President.

Two of the most important pieces of evidence underlying this demonstration are the FBI's summary reports on the case and the film taken by Abraham Zapruder, a bystander during the assassination. The FBI's first summary report was dated December 9, 1963, just after the Warren Commission was appointed. This report is not in the twenty-six volumes and is published for the first time, and only in part, in Epstein's book. In it, the FBI states simply that "three shots rang out. Two bullets struck Kennedy and one wounded Governor Connally." This seemed to account for all the wounds; but it ignored incontrovertible evidence that one shot missed the car and its occupants and wounded a spectator.

As Epstein shows, this fact, and the evidence of the Zapruder film, forced the Commission to reconsider the problem. For the film established the time when Kennedy could have been hit, and Connally could have been hit. The speed of Zapruder's camera is 18.3 frames per second and his film shows that Kennedy was hit between frames 208 and 225. (For reasons never explained, the Commission omitted frames 208-211 from its reproduction of the series in the *Report*.) It is clear from the medical and photographic evidence that Connally was shot between frames 231 and 240. (The shot that struck Kennedy on the side of the head and killed him was at frame 313.) This leaves less than 2.3 seconds between shots one and two; and the Commission found that it is physically impossible to pull the bolt and reload Oswald's rifle faster than once every 2.3 seconds (without aiming). Therefore it was impossible for Oswald



to have wounded both the President and Connally in separate shots.

Epstein writes that, in early March, Arlen Specter, a Commission lawyer, discussed this time problem informally with Commanders Humes and Boswell, the Navy doctors who had performed the autopsy on President Kennedy. "According to Specter, Commander Humes suggested that since both Kennedy and Connally apparently had been hit within a second of each other, it was medically possible that both men had been hit by the same bullet and that Connally had had a delayed reaction. This hypothesis would explain how both men were wounded in less time than that in which the murder weapon could be fired twice . . ." (*Inquest*, p. 115).

On March 16, 1964, when Dr. Humes's undated autopsy report was first introduced in evidence, it directly contradicted both the FBI report of December 9, 1963, and the subsequent FBI report of January 13, 1964. Dr. Humes's report stated that the first bullet struck the back of Kennedy's neck and exited through his throat. The FBI had said "Medical examination of the President's body had revealed that the bullet which entered his back penetrated to a distance of less than a finger length. (Exhibits 59 and 60)." These exhibits, reproduced in Epstein's book on pp. 56-57, are photographs of Kennedy's jacket and shirt. They show clearly a bullet hole 5½-6 inches below the neckline, i.e., in his back. If the bullet had been shot from the Book Depository, it was on a downward course, and thus could not enter the back and exit through the throat unless it was deflected. Further, the FBI report had said, "Medical examination of the President's body revealed that one of the bullets had entered just below his shoulder to the right of the spinal column at an angle of 45 to 60 degrees downward, that there was no point of exit, and that the bullet was not in the body."

IF THE FBI DATA are correct, then Kennedy and Connally were hit by separate bullets and the time interval between these shots is much too short (less than two seconds) for both to have been fired from Oswald's rifle. Hence, either another gun was employed, or two different marksmen were shooting. In either case, the Commission theory is no longer tenable, nor, in view of the time-interval problem, is the theory of the FBI that all the shots came from Oswald's rifle.

In response to Epstein's book, Commission staff members have stated that the two FBI reports of December 9th and January 13th are wrong about the wounds, while spokesmen for the FBI have implied, in more ambiguous language, that their reports were in error. (Even before publication, Epstein's book had the effect of bringing a lot of information to light. Besides the portions of the FBI reports he has published, newspaper and magazine accounts have given the FBI explanations, the history of the autopsy report, etc., items which the Commission did not bother to clarify.) If the FBI did make a mistake, one explanation may be found in Fletcher Knebel's article in the July 12, 1966 issue of *Look*. Knebel attributes his explanation to three commission lawyers and one of the autopsy doctors (apparently Dr. Boswell). At the autopsy proper on November 22, 8-11 p.m., the doctors had not found an exit wound (or a bullet channel) and were puzzled. The next day they learned from Dr. Malcolm Perry of Parkland Hospital, Dallas, that there had been a bullet wound in the throat, obliterated by a tracheotomy operation. This led the doctors to conclude that the throat wound (which they never saw) was the exit wound. Their report was completed on November 24, and sent to the White House on the 25th. The Secret Service then received the report, and, according to statements published recently, sent it to the Commission on December 20 and to the FBI on December 23.

If this is what happened, it could account for the discrepancy between the FBI's first report and the autopsy report. But why didn't the supposedly thorough FBI ask for the autopsy report, or check with the doctors? How, indeed, could the FBI have conducted an effective investigation without at least ascertaining the contents of the autopsy report? Is the December 9th FBI report an accurate account of what the doctors found from their *one and only* look at the body on November 22? Is the doctors' later report based only on inferences from a wound they never saw? (It is interesting that Knebel indicates the final autopsy may be wrong: "The doctors may well have erred in their autopsy finding." On what? Where the *entrance* wound was, perhaps?)

This explanation, which the FBI seems willing to underwrite, indicates a high degree of incompetence. The FBI says its first reports "were merely to chart a course and were not designed to be conclusive" (*Look*). Does that mean they were supposed to be inaccurate? They were prepared at the request of the President to get the basic facts, at a time when the FBI was the only official investigative agency dealing with the case. The reports were considered to be of "principal importance" by the Warren Commission when it started out. And how can the FBI explain that after receiving the autopsy report on December 23 it still issued a supplemental report on January 13, 1964, containing false information on the most substantive question: Where did the first bullet hit Kennedy

and where did this bullet go?

THE FBI HAS NOT AS YET tried to explain why its report of January 13 contradicts the autopsy report. In the Los Angeles *Times* of May 30, 1966, Robert Donovan quotes an FBI spokesman as saying only that "the FBI was wrong when it said 'there was no point of exit'."

"The FBI agents were not doctors, but were merely quoting doctors, the FBI spokesman said."

So it would seem that even when the FBI states bluntly that "X is the case," this can be wrong, and only based on hearsay. This raises the problem of determining when the FBI is reliable. (Was it when it said Oswald was not an FBI agent?) How reliable are its many, many reports in the twenty-six volumes? When is the FBI to be taken at its word?

If the FBI reports are false, is the Commission position then defensible, in view of the FBI photos of Kennedy's jacket and shirt published in Epstein's book? Its one-bullet theory depends in part on this bullet following approximately the path described in the sketch in the Commission Exhibit 385, entering the back of Kennedy's neck, and exiting at his throat on a downward path, then entering Connally's back and exiting below the nipple, going through his wrist, and finally reaching his femur (Commission Exhibits 679-80 and 689). But if Kennedy was shot in the back, then there is something basically wrong with the very possibility of the Commission theory. A bullet traveling downward would have exited from the chest, where there was no wound, and would have struck Connally at too low a point to inflict the damage.

So the FBI pictures of the President's clothing become very significant. Some of the comments on Epstein's book by hostile critics who were associated with the Commission appear to concede that the FBI may have been right in locating the bullet in the back; and the FBI photographs definitely indicate that this was the case. Suggestions have appeared that Kennedy could have been bending over at the time, and so a bullet in his upper back *could* have exited from his throat (without hitting his chin??). But if this were so, the bullet would obviously have been too low to hit Connally where it did; *and* the Zapruder pictures clearly rule out the possibility that Kennedy was bending over at this time. The Detroit *Free Press*, June 5, 1966, p. 22A, offers another possibility, that Kennedy's coat was hiked up and bunched at the time. They offer a photo "taken just seconds before the first bullet." The issue is of course the condition of his clothes at the very moment. Zapruder's pictures don't show this; and they portray only a front view of Kennedy. However, if the jacket was bunched, it seems most unlikely that a bullet fired at neck level would leave only *one* hole in the jacket nearly six inches from the top of the collar. And even if it were somehow possible, this would still leave the problem of the shirt. Would a buttoned shirt hike and bunch in this manner, that is, rise in such a way that a point nearly six inches below the top of the collar would at that moment be at neck level, and not be doubled over? (Commission Exhibit 397, 17:45, has an autopsy chart showing the bullet in the back, not the neck.)

Even if one could somehow connect the holes in the jacket and the shirt with a wound in the neck (and I doubt if it can be done), the original problem remains: the time-interval on Zapruder's pictures between Kennedy's being wounded and Connally's being hit. As we have seen, the Commission has to hold to the theory that the Governor was hit at the same time as the President, but that his reaction was delayed. The pictures, however, definitely show him without noticeable reaction when Kennedy had already been struck. Connally's clear testimony is that he heard the first shot (and the bullet traveled much faster than the speed of sound), looked for its source to the right and to the left, and *then* was struck. The Commission has to have him oblivious to the wounding for about a second, while he is looking, even though his fifth rib was smashed and his wrist shattered, and even though he stated positively that when hit, he felt something slam into his back.

THE PROBLEM OF whether the Commission theory is at all possible first turns on whether Kennedy was hit in the neck or the back. A simple factual matter like this should be definitely ascertainable. But the Commission did not examine the photos or X-rays of the autopsy, and it remains unclear where these are now to be found. Instead the Commission makes bullet No. 399 the key. If the bullet fell out of Connally after traversing the two victims, then the Commission could claim, in seventeenth-century theological style, that if it happened, it must be possible.

But bullet No. 399 raises all sorts of problems. First, almost all of the the medical experts, including two of the Kennedy autopsy doctors, held that No. 399 could not have done all the damage to Governor Connally, let alone Kennedy. Number 399 had lost only about 2.5 grains of its estimated original weight, and more than 3 grains of fragments were either still in Connally or had been recovered from his body. (Salandria's article in *The Minority of One* examines this in full detail and provides all of the pertinent references.)

Second, other bullets shot from Oswald's rifle through any substance became mashed, unlike pristine No. 399, which is supposed to have gone through two human bodies, and have smashed Connally's rib, wrist, and entered his femur. Commission Exhibit 858 (17: 851), a photograph taken during tests sponsored by the Commission, shows a bullet fired from Oswald's gun through a skull filled with gelatin. The bullet is quite distorted. There is no evidence that the Commission could obtain anything like pristine No. 399 in any of its tests.

Third, no one knows near whose stretcher No. 399 was found. It was found by a Mr. Tomlinson, when he adjusted two stretchers blocking an entrance to a men's room. At this stage of our knowledge of the case, neither Mr. Tomlinson, *nor anyone else*, knows which stretcher the bullet came from,

nor whose stretchers these were, nor whether *either* Kennedy or Connally was ever on either one of them. There is no factual basis whatever for the Commission's claim that the bullet was on Connally's stretcher. The FBI had earlier said it was Kennedy's stretcher. Tomlinson just did not know and refused to guess (6:128-34). There were other patients in the hospital. The stretcher might have come from upstairs or might have come from the emergency section. The Commission made no effort to track down what happened to both Kennedy's and Connally's stretchers, so they really have no evidence as to which stretchers may be at issue. Anyone could have entered the hospital. It was full of newsmen, spectators, Secret Service men, FBI men, and, according to the management, the place was a madhouse. There is even a report by a very reliable newsman, Seth Kantor of Scripps-Howard, that Jack Ruby was there (but this is denied by Ruby and strongly doubted by the Commission).

Fourth, when, late on November 22, the bullet was turned over to the FBI expert, Robert Frazier, it didn't need any cleaning (3:428-29). Weisberg makes a great fuss about this, claiming that somebody must have cleaned the bullet earlier and thereby destroyed valuable evidence. However, the history of No. 399 does not indicate that anybody ever cleaned it that day, and thus that it may never have been dirty or soiled.

All of these points indicate not only that No. 399 can hardly have done the remarkable things the Commission claims it did, but that there is *no evidence at all* that it did these things, or came off Connally's stretcher, or ever was in Governor Connally's body. I will suggest presently an explanation for its features. At this point, I should only like to stress that No. 399 is a very shaky reed on which to base the one-bullet hypothesis. To argue that it happened and therefore is possible is not persuasive here, since *no one* knows what had happened to No. 399 before it was found.

WHILE THE REASONS for doubting the "official" theory are becoming much stronger, its ultimate defense is now crumbling because of Epstein's researches. If his account of how the Commission and its staff functioned is correct (and he seems to have the evidence), then the Commission did not do an adequate investigative job, and did not weigh all of the data carefully. It rushed through its work. The Commissioners and most of the staff were busy men who had insufficient time to devote to their task. The Commission had no investigative staff of its own, and a few overworked lawyers in a very short time had to interview and check hundreds of witnesses. The Commission was inundated with so many FBI reports that no one person had time to master them all. The pressure for a quick report made careful deliberation of the problems and issues almost impossible. Finally, the *Report* was written and rewritten and rewritten in haste, with evidence marshalled, in a onesided manner, to make a lawyer's brief for the "official" theory. Then one staff member, Liebeler, wrote a twenty-six-page critique, showing many of the holes in this case, holes that would have given a lawyer for the defense a field day, and that have been the feeding ground for the critics.

Epstein's account no longer allows the high reputation of the Commissioners to make up for the deficiencies of the *Report*. After Epstein it will be hard to believe the Commission served the public well. Instead of ending all the rumors, they set the stage for a new, and more serious, era of speculations. They have damaged confidence in themselves and in any public body that might undertake to examine facts and possibilities about the death of President Kennedy.

But the critics have still failed to set forth evidence for a counter-theory in a systematic way. (Weisberg does so only sporadically.) "Of course the 'single bullet' theory is porous," *The New York Times* review of Epstein's book stated on July 3, "but no other explanation makes any sense." If we are to give up the official explanation, what can we put in its place? A two-assassin theory? A conspiracy? If so, what did happen? What role did Oswald play? How can the hard facts be accounted for? As Knebel quotes Allen Dulles, "If they've found another assassin, let them name names and produce their evidence."

Unfortunately one has only the twenty-six volumes of data to work with, and most of this was collected either in reference to the theory that Oswald was the lone assassin, or to buttress this theory. Clues that might help speculation are few and far between. For instance, there are indications in the materials supplied by the Dallas police that other suspects were arrested on November 22, 1963, but except for Molina, who was not involved, they are never identified. We learn that shortly before the assassination someone had an epileptic fit in front of the Book Depository, and that this caused much confusion and commotion. Right after the shooting, the Dallas Police rushed someone over to Parkland Hospital to find out about this. But we don't learn whether it was a diversion or a genuine illness, whether it was significant or a coincidence (17:465, 22:599 and 601). A postage-due parcel arrived for the Oswalds in Irving on November 20 or 21, but we never find out what it is, and if it is a clue (23:420).

AT THE PRESENT STAGE, any counter-explanation has to rest almost entirely on the material available in the twenty-six volumes and these are extremely difficult to work with. Fifteen of the volumes consist of testimony, depositions, and affidavits; eleven really bulky ones (around 900 pages apiece) contain documents and exhibits. The raw data appear in volumes XVI-XXVI. The documents are not properly indexed or identified. There is an index of witnesses who testified, of the names of documents (e.g., Shaneyfelt 6, Commission Exhibit 1215) and where they are introduced in the testimony (and volumes XXII-XXVI contain material not introduced, including some of the most important raw data). The tables of contents are often not very helpful in finding things. And no index is given for the *contents* of the documents.[1] Too often the documents are reproduced poorly, sometimes illegibly, sometimes incompletely, sometimes redundantly. There is a bewildering collection of junk, as well as the most thorough kind of research of some points, and a great many discrepancies that are never explained or accounted for. Having been through the twenty-six volumes twice, I think enough discrepancies exist to provide the bare bones of a counter-theory based on two sort of materials: first, evidence that some of the "official evidence" is not what it seems to be; and second, unexplained evidence suggesting that some sort of conspiracy involving or relating to Oswald existed as far back as Oswald's departure for Mexico, and was intensified from early November until at least November 22.

That something more was going on

than the Commission believed is, I think, indicated by two crucial pieces of evidence, bullet No. 399 and the brown paper bag. Bullet No. 399 is distinctly odd and unusual. If it cannot have done the damage that occurred to Connally, what is it? It may have come from Kennedy's body (if the FBI's report of what the doctors originally thought is true). But it has no signs even of that. The FBI expert said, "it wasn't necessary to actually clean blood or tissue off of the bullet" (3:428-29).

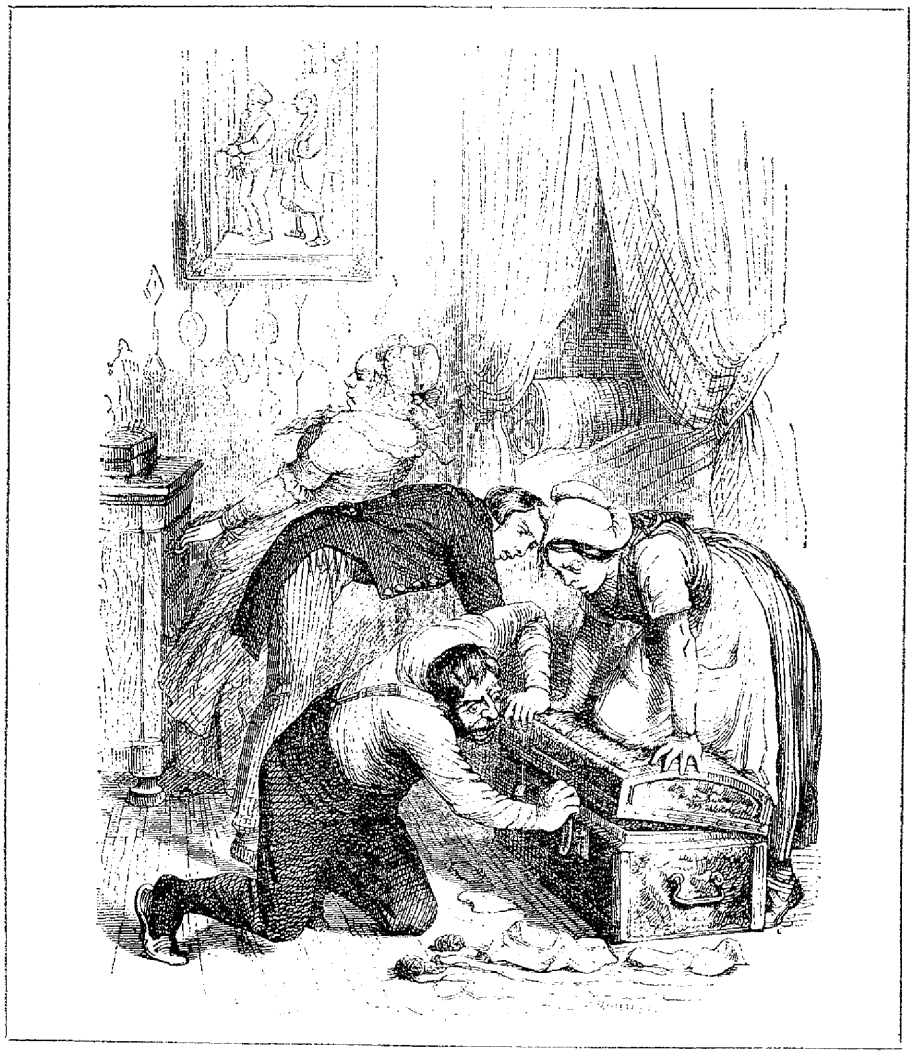
[1]An independently prepared index by Sylvia Meagher has been published by Scarecrow Press, 257 Park Avenue South, New York.

WHAT OTHER POSSIBILITY IS THERE? The Commission never seems to have considered the possibility that the bullet was planted. Yet in view of evidence concerning No. 399 it is an entirely reasonable hypothesis that the bullet had never been in a human body, and could have been placed on one of the stretchers. If this possibility had been considered, then the Commission might have realized that some of the evidence might be "fake" and could have been deliberately faked. Bullet No. 399 plays a most important role in the case, since it firmly links Oswald's rifle with the assassination. At the time when the planting could have been done, it was not known if any other ballistics evidence survived the shooting. But, certainly, the pristine bullet, definitely traceable to Oswald's Carcano, would have started a chase for and pursuit of Oswald if nothing else had, and would have made him a prime suspect.

Another piece of evidence that seems to be something different from what the Commission supposed is the brown paper bag found on the sixth floor of the Book Depository. This is the bag that, according to the Commission, was made by Oswald on the night of November 21-22 at Irving, and used by him to bring the rifle into the Book Depository. As Weisberg neatly shows (*Whitewash*, pp. 15-23), there are problems with all the information about the bag. First of all, both Marina Oswald and Wesley Frazier (who drove Oswald to Irving) report that he had nothing with him on the evening of the 21st (24:408 and Marina's interview on November 23). The Commission was sufficiently worried on this point to recall Frazier and to ask him if at some earlier time Oswald had paper with him, to which he answered, "No." (7:531).

Next, the only two people who ever saw the bag, Frazier and his sister, described a bag around 27-28 inches, whereas the found bag is 38 inches long. Both Frazier and his sister described it by referring to its position when Oswald carried it, its appearance, and where it was located in the car; all these gave results of around 27 inches. (The longest part of Oswald's rifle, when disassembled, is 34.8 inches.) Oswald is described as first carrying the bag with his arm down, and not dragging it on the ground; later he is said to have carried it cupped in his hand, and tucked in his armpit. Both descriptions are applicable only to a bag approximately 27 inches long. (If Oswald, who was five foot nine, had carried a 38-inch bag cupped in his hand, it would have extended above his shoulder to ear level, a length that Frazier might have been expected to remember.) Despite serious efforts to get Frazier and his sister to change their estimate of the bag's size, they stood fast; and when one of them made a bag for the Commission that was supposed to approximate the original, it turned out to be about 27 inches long (24:408). The Commission nonetheless decided Frazier and his sister were correct about seeing Oswald with the bag, but incorrect in their description of it.

A further fact is that on the night of the 22nd, when Frazier first described the bag and estimated its size (about 2 feet), he was given a lie detector test which showed "conclusively that Wesley Frazier was truthful, and the facts stated by Frazier in his affidavit were true" (24:293). When Oswald entered the building, no one saw him with the bag. A Mr. Dougherty saw him enter and stated that he carried nothing, although a long bag should have been noticeable (6:376-77).



THE NEXT THING KNOWN is that a bag

38 inches long was found near the notorious sixth-floor window. This bag was made from paper and gummed tape, in the building. It has four very noticeable folds, but no indication of having been held on the top, as Frazier's sister saw it. It has one identifiable fingerprint and one identifiable palm print, both Oswald's. Also, as the FBI expert, Cadigan, testified, it contained no chemical or physical evidence of ever having contained a rifle. No oil or rifle debris, no distinctive marks of the rifle's location in it (4:97). Asked to comment on the absence of marks, Cadigan said, " . . . if the gun was in the bag, perhaps it wasn't moved too much." But the Frazier-Randle descriptions show it had been moved a good deal. Besides being carried, it was bounced around on the back seat of Frazier's car.

The final problem, which only Weisberg seems to have noticed, is that, according to expert testimony, the found bag is put together with tape from the Book Depository's dispenser, cut by this machine. The machine operator, Mr. West (6:356-63), indicated he was always at the machine and never saw Oswald use it. But, and this is crucial, tape could only be removed from and cut by the dispenser if it were wet. The tape came out of the dispenser dampened by a sponge. Oswald could only have gotten dry tape out of it by dismantling the machine, but then it would not have been cut by the machine. So the conclusion seems to be that Oswald removed a

wet piece of tape, three feet long. How could he have carried it to Irving and then used it to make a bag? If the machine operator's description is correct, the bag would have to have been made *in* the Book Depository.

When? According to the Commission, on the 21st; and then he returned on the 22nd. But there would still be the conflict about its size between the found object and the testimony of the two observers. Weisberg presents all the discrepancies, but does not see what this can lead to except that the Commission's case is shaky. The only explanation, however, that seems to remove the conflict is that there were two bags, the one Frazier and Randle saw (which could have been a large supermarket bag) and the bag that was found. This could have been a deliberate effort on Oswald's part to sow confusion. The bag that was seen could have been disposed of just before Oswald entered the Book Depository (there are lots of rubbish bins at the back entrance, full of paper). Then, during the morning of the 22nd, the bag that was later found could have been manufactured to fit the dimensions of the gun. The bag was happily left in view near the alleged scene of the crime. A careful criminal could obviously have hidden it (along with the three shells). Its presence, like that of bullet No. 399, implicates Oswald. It has his prints and is large enough to have held the gun. Frazier and his sister can supply another link, and Oswald becomes the prime suspect.

If I am right that the bag that was found and the one that was seen are different, this means the rifle entered the Book Depository at a different time from Oswald's entrance on November 22, and that there was genuine premeditation in Oswald's actions, to the extent of fabricating evidence that would mislead the investigators.

The bag and bullet No. 399 suggest that more was going on than the Commission recognized. There are many, many discrepancies in the evidence and in the Commission case. The critics have made much of these unanswered questions (and Weisberg's book is probably the best present collection of them, though they are often stridently overstated). All of this, however, usually builds up to a big "So what?" since the critics still have not been able to present a reasonably plausible counter-explanation of what could have happened. Why, for example, should Oswald have tried to implicate himself as the assassin? I shall try to suggest why in what follows.

THE TWENTY-SIX VOLUMES contain numbers of strange episodes in which people report that they saw or dealt with Oswald under odd or suggestive circumstances: for example, that Oswald was seen at a rifle range hitting bulls eyes; that he and two Latin types tried to get financing for illegal activities from Mrs. Sylvia Odio; that Oswald tried to cash a check for $189 in Hutchison's Grocery Store. These instances, and there are many of them, were dismissed by the Commission (though it continued to consider them *up to the very end*), principally on the grounds that they occurred when Oswald apparently was not there, or they involved activities Oswald reportedly did not engage in, such as driving a car. Of course it is not uncommon for false reports of identification to turn up

during a much-publicized criminal investigation. However, in many of the cases dismissed by the Commission, the witnesses seem reliable, and have no discernible reason for telling falsehoods so far as one can judge; they seem to be, in the Commission's overworked term, "credible." For example, Bogard, a car salesman, reported that on November 9, 1963, a customer came in to his showroom, gave his name as Lee Oswald (and, of course, looked exactly like the late Lee Harvey Oswald), went driving with him and told him that he (Oswald) would come into a lot of money in a couple of weeks. Not only did Bogard have the corroboration of his fellow employees and an employee's wife, but he was also given a lie-detector test by the FBI. The FBI reported on February 24, 1964, that "the responses recorded were those normally expected of a person telling the truth" (26:577-78). When the Commission had just about concluded its work, somebody still worried about this, so on September 12, 1964, the FBI was asked what questions Bogard had been asked. The FBI replied that he was asked if his story was true: if Oswald had been his customer (26:682). All one can say is that by normal standards of credibility, the FBI had established, both through finding corroborating witnesses and by its polygraph test, that Bogard was a credible witness. Nevertheless, the Commission had satisfied itself from other testimony that (a) Oswald didn't drive, and (b) he spent November 9th in Irving, writing a strange letter to the Soviet Embassy.

Cases such as the Bogard episode, varying in their degrees of confirmation and reliability, have attracted the attention of critics from the time of Leo Sauvage's article in *Commentary* in the Spring of 1964. They stirred rumors in the press from late November 1963 onward. If these cases *could not* have actually involved Oswald yet seem actually to have happened, then what?

The Commission chose to dismiss them since Oswald could not have been the person in question. Leo Sauvage suggested someone was trying to imitate Oswald, that there was a second Oswald. Critics have brought up the second Oswald as an insufficiently explored phenomenon that might throw light on the case.

BUT WHY A DUPLICATE OSWALD? The Commission picture of Oswald is that of a pretty trivial individual, of no significance until November 22, 1963. But the cases suggesting that duplication occurred begin at least as early as September 25, 1963, the day Oswald left for Mexico, when a second Oswald went into the office of the Selective Service Bureau in Austin, Texas, gave his name as Harvey Oswald, and wanted to discuss his dishonorable discharge. Yet *Oswald* at this time was riding a bus toward Mexico. (See *Report*, 731-33.)

Some have suggested that the point might have been to frame Oswald, but only a few instances of this kind seem to have any relevance to such a goal. I would suggest that the cases of apparent duplication can be classified into two distinct groups, according to the times when they took place. Rather than dismiss them, I suggest that it is more plausible to interpret them as evidence that Oswald was involved in some kind of conspiracy which culminated in the events of November 22, when the duplication played a vital role both in the assassination and the planned denouement (and may have been the reason for Tippit's death). Although the hypothesis of a second Oswald must necessarily be tentative and conjectural at this stage, I would suggest that it can resolve a large number of troubling problems concerning the assassination and provide a more plausible explanation of the case than that offered by the Commission.

The record compiled by the Commission indicates that as far back as Oswald's stay in New Orleans, some strange conspiratorial activities were going on. On the one hand, the correspondence of Marina Oswald and Ruth Paine indicates that Oswald was unhappy both because of his family life and his economic life, and wanted to return to Russia with his family. On the other hand, from late May onward, Oswald started his pro-Castro activities, corresponded actively with the Fair Play for Cuba Committee in New York, the Communist Party, and the Socialist Workers Party, usually giving them false or misleading information about his activities. He spent a good part of his meager funds printing leaflets, membership applications and cards, etc., and hiring people to distribute literature. But, very significantly, I think, he made no effort to change his FPCC organization from a fiction into a reality. It never had any members except Oswald and the clearly fictitious "Alec J. Hidell"! Oswald made no effort to look for local leftists or to seek sympathizers, for instance at Tulane University, where he might have found them. The one person who came to see him, Marina says, he treated as an anti-Castroite plant. To confuse matters, Oswald even put the address of the anti-Castroites on some of his literature. Oswald lied to the FPCC, the police, and the FBI about his organization, claiming it had thirty-five members, that it met at people's homes, that he, Oswald, received telephone or postal instructions from Hidell. These deceptive activities culminated in August, 1963, with Oswald's visit to the anti-Castroites, Carlos Bringuier and friends, and his expression of interest in joining their para-military activities. In a few days he followed this with his distribution of FPCC literature near their headquarters, which caused a fight with them (they felt they had been betrayed by him). But according to the reports of the police and others, the fight was not a fight at all: Oswald simply put his arms down and told Bringuier (a former functionary under Batista) to hit him. Subsequently, Oswald pleaded guilty to disturbing the peace, when he was clearly innocent, and Bringuier pleaded innocent, when he had in fact struck the blow. In jail Oswald demanded to see the FBI, and tried to convince agent Quigley that he, Oswald, *really* was involved in pro-Castro activities. The arrest was followed by Oswald's appearance on radio and TV defending Cuba against Bringuier and others. Oswald sent distorted reports and clippings of his achievements to the FPCC, and, in an undated memorandum to himself, outlined all of the data he now had to show that he actually was a pro-Castro activist (16:341-43).

THE MEMORANDUM seems to have been designed for the Cuban Embassy in Mexico, to convince them of his *bona fides*. But a problem remains—why, if Oswald was pro-Castro, and wanted to go to Cuba, didn't he organize real FPCC activities instead of fake ones? Why did he lie about and distort his accomplishments to the FPCC, the Communist Party, and apparently the Cuban Embassy? It is interesting that Oswald lied to almost everybody, whether friend or foe. In Russia, even from the outset, he put false information about his family on forms, false information that differed from form to form about his mother being dead, having no siblings, etc. (18:427). The memorandum suggests he wanted to fool the Cubans, since his organization of materials is deliberately misleading. Oswald last wrote to the FPCC on August 17, 1963, telling of all that had happened, and indicating that a good many people were now interested (on August 1, 1963, he had revealed that there were no members of his branch); that he had received many telephone calls (Oswald had no phone); and that he wanted lots of literature, *especially about travel restrictions to Cuba* (20:530). The FPCC didn't hear from him again, but on September 1, 1963, both the Communist Party and the Socialist Workers Party heard from him that he was planning to move to Washington, Baltimore, or Philadelphia, and wanted to contact them there. But Oswald didn't write them again until November 1, 1963. (As far as we can tell he wrote to no one until then.)

Marina says Oswald had decided to go to Cuba via Mexico in August. The letters announcing his plans to move East may have been to mislead the FBI, if Oswald knew they were reading his mail. (His insistence on an interview with Quigley may have been to make sure that they were aware of his existence.)

Was Oswald really trying to get to Cuba and Russia through Mexico? The evidence suggests that he was not. He had earlier applied for a visa to go to Russia, and he had his new passport. On July 1, 1963, Oswald had asked the Russians to rush Marina's visa, but to treat his separately. He didn't write them again, as far as we know, until the letter of November 9th, though Ma-

rina had written on July 8th pressing *her* case. In August, the Russian Embassy had informed the Oswalds that the material had been sent to Moscow for processing, and Oswald made no effort to speed up the matter. On September 22, 1963, he told Mrs. Paine's friend, Mrs. Kloepfer, that it usually takes six months to go to Russia (23:725). Then he apparently went to Mexico City a couple of days later, on September 25th on a 15-day visa (not the six-month one that he might have easily obtained), visited the Cuban Embassy and asked for a transit visa to go to Russia *via* Cuba. By linking his trip to Cuba with a Russian voyage, he led the Cubans to call the Russian Embassy, who said the case would take months to handle. Oswald then became furious with the Cubans, *not* the Russians, and, according to Sylvia Duran of the Cuban Embassy, he claimed he was entitled to a visa because of his background, partisanship, and activities (25:636). (Any investigation of these probably would have led to his being turned down.) He said he needed a visa right away because his Mexican one was running out and he had to get to Russia immediately. (He obviously could have gotten to Russia faster by traveling from New Orleans to Europe.) The Russian Embassy apparently was not helpful and indicated it would take four months before anything was done. Though the *Report* (p. 735, note 1170, based on confidential information) says that Oswald came back to both the Cuban and Russian Embassies, there is no evidence that he really pressed his case. Señora Duran had given him her phone number, yet he doesn't seem to have used it. He doesn't seem to have known of or cared about the final disposition of his case by the Cubans a few weeks later. By linking his application for a Cuban visa to a Russian one, Oswald seems to have precluded any rapid action. If the *Report* is correct that Oswald had only $200 when he left New Orleans, he couldn't have gotten to Russia anyway. Oswald's dealings with Russian bureaucracy surely taught him, as his notes on Russia indicate, that quick action was most imlikely.

WHATEVER THE POINT in the abortive Mexican trip, which seems to have involved some mysterious and as yet unexplained elements, at the same time a series of unusual events was occurring in Texas. On September 25, the visit of "Harvey Oswald" to the Selective Service in Austin (for 30 minutes) took place. The *Report* (p. 732) dismisses it because Oswald wasn't in Austin. But it is somewhat confirmed by reports that Oswald was seen that day in a cafe in Austin by a printer and a waitress. On the evening of September 25, a Mrs. Twiford of Houston received a phone call from Oswald between 7 and 9 P.M. Oswald could not have been in Houston then, yet it appeared to be a local call. Oswald claimed he wanted to see Mr. Twiford, the Socialist Labor Party leader for Texas, before *flying* to Mexico (24:726 and 25:4-5). This may have been Oswald, calling long distance, though why, if he was planning to defect to Cuba, he should care to see Twiford is a mystery. Could it have been the second Oswald creating mystifying data about Oswald's whereabouts?

On September 26, the striking incident involving Mrs. Sylvia Odio is supposed to have occurred. Mrs. Odio, a Cuban refugee leader in Dallas, reported to the Commission that she and her sister were visited by two Latins and one "Leon Oswald," who claimed they had come from New Orleans, were about to leave on a trip, and wanted backing for some violent activities. Then, and in a phone call the next day, Mrs. Odio was told more about Leon Oswald by one of the Latins called Leopoldo:

> The next day Leopoldo called me . . . then he said, "What do you think of the American?" And I said, "I didn't think anything."
>
> And he said, "You know our idea is to introduce him to the underground in Cuba, because he is great, he is kind of nuts . . . He told us we don't have any guts, you Cubans, because President Kennedy should have been assassinated after the Bay of Pigs, and some Cubans should have done that . . . And he said, "It is so easy to do it." He has told us [11:372].

She was also told that Oswald had been in the Marine Corps and was an excellent shot. When Mrs. Odio heard of the assassination, she was sure these men were involved. When she saw Oswald's picture, she knew! (11:367-89).

THE COMMISSION made sporadic attempts to discount Mrs. Odio's story, but kept finding that Mrs. Odio was a quite reliable person, sure of what she had reported. (Finally, Manuel Ray, the leftist anti-Castro leader, gave her a testimonial and said she *would not have made up* the story; Cisneros, the former leader of JURE, said she was reliable [26:838-39].) The only conflicting evidence was that of a Mrs. Connell, who said Mrs. Odio had told her she had previously known Oswald and that he had spoken to anti-Castro groups, which if true would indicate that Oswald had been more involved with anti-Castro elements in the Dallas area than Mrs. Odio admitted. In

August, 1964, the Commission apparently became concerned about the Odio episode, thinking it might *really* indicate a conspiracy. On August 28, 1964, Rankin, the Commission's chief counsel, wrote J. Edgar Hoover, "It is a matter of some importance to the Commission that Mrs. Odio's allegations either be proved or disproved" (26:595). The Commission had figured out that Oswald actually had enough time to leave New Orleans, come to Dallas and meet Mrs. Odio, then go on to Houston and Mexico, though this seemed very unlikely. It was probably with great relief that they received the FBI report of September 21, 1964. This stated that on September 16 the FBI had located one member of the group that had visited Mrs. Odio and he had denied

Oswald had been there, but had given the names of the other two, one of whom was a man "similar in appearance to Lee Harvey Oswald." The FBI said it was continuing research into the matter and "The results of our inquiries in this regard will be promptly furnished to you" (26:834-35). The Commission seems to have been satisfied that it had established that Oswald had not visited Mrs. Odio, and did not care that it appeared to have also established a strong possibility that there was a double for Oswald, that is, a man who looked like him and may have used his name. One would have expected that, if the Commission had really been interested in clearing up all of the questions and rumors about the case, it would have stopped everything, located this man and the other two, found out if he had been masquerading as Oswald, and, if so, why. Weisberg uses this as crucial evidence that the Commission had established a conspiracy, and subsequently ignored it. But Epstein shows that by September 21, the mad rush to publish the *Report* was so great that this took precedence over anything else.

The FBI report does appear to support Mrs. Odio's account that a meeting took place. One wonders then, gnawingly, what did they find out next? Was the man "similar in appearance" acting as a double for Oswald? Did he use Oswald's name? What was he involved in when he went to see Mrs. Odio? Was he connected with the other double-Oswald episodes? As far as I know, nothing more has been said about this. The public should demand that the Commission or the FBI tell us whether this turned out to be significant, or if it somehow had an innocuous explanation.

IF THE ODIO EPISODE STRONGLY indicated that duplication and conspiratorial activities involving Oswald were going on, two items connected with Oswald's return from Mexico to Dallas seem further suggestive. A Mexican bus roster shows the name "Oswld," written in a different hand from the other names. It is known that Oswald was not on that bus, yet no satisfactory answer was ever found for his name being put on the roster, though it apparently happened *after* the trip on October 2 (22:155; 24:620; 25:578 and 25:852). On October 4, when Oswald was back in Dallas, the manager of radio station KPOY in Alice, Texas, reported that Oswald, his wife and small child, visited him for twenty-five minutes, arriving in a battered 1953 car. The *Report* diligently points out that (a) Oswald didn't drive, and (b) he could not have been in Alice at that time (*Report*, p. 666). The incident is the first of several in which it appears that Oswald and his family may have been duplicated. Instead of seeing it as part of a possibly significant pattern and considering it further, the Commission was satisfied once Oswald had been disassociated from the event.

In October there seems to have been little double-Oswald activity. This may be explained by the facts that Oswald was looking for a job at the time and that his second daughter was born on October 20. But a second group of incidents can be traced from early November until November 22, almost all in the Dallas-Irving area. (Irving is the Dallas suburb where Marina lived with Mrs. Paine.) These begin to occur at about the same time as Oswald's resumption of conspiratorial ac-

tivities. Having settled down in Mrs. Johnson's rooming house and having obtained a job, Oswald attended two meetings, one on October 23 to hear General Walker, the other on October 25, a meeting of the ACLU. On November 1, he rented a post office box and listed as users the New Orleans bunch; that is, himself, Marina, Hidell, the FPCC, plus, of all things, the ACLU. (Was he getting ready to set up a fake branch of that organization for some dark purpose?) On the same date he wrote the Communist Party in New York (an air mail letter delivered, incidentally, after Oswald was dead), asking for advice on infiltrating the ACLU (20:271-73). On November 4, he joined the ACLU and asked its national office how he could get in touch with "ACLU groups in my area" (17:673) (although he had attended a meeting and knew well that Michael Paine was a member).

On November 6th or 7th, another interesting episode occurred. Someone looking like Oswald, of course, came into a furniture store in Irving, Texas, looking for a part for a gun. (The store had a sign indicating it was also a gun shop.) This person then went out and got his wife and two infants out of a car, returned and looked at furniture for a while. The children turned out to be exactly the ages of the Oswald children. Two people saw and talked to this Oswald and later identified him and Marina as the people in question. The "Oswalds" then drove off, after getting directions as to where to find a gun shop (22:524, 534-36, 546-49). This may well have been the day an Oswald took a gun into the Irving Sports Shop (right near by), an episode that occurred in early November. A clerk in the shop found a receipt on November 23 that he had made to a man named Oswald for drilling three holes in a rifle. (Yet Oswald's rifle had two holes and they were drilled before Oswald got the gun.) An anonymous caller told the FBI about this episode on November 24 (so as to make sure it was known?). The receipt seems genuine; the clerk is sure he ran into Oswald somewhere, and the clerk seems reliable. His boss was convinced, but the Commission dismissed the case since there was no evidence that Oswald owned a second rifle (22:525 and 531; 11:224-40, 245-53). Incidentally, all other Oswalds in the Dallas-Fort Worth area were checked, and it was found that none of them was the Oswald who had had his gun repaired.

NOVEMBER 8 SEEMS to have been a crucial day in the development of whatever conspiratorial activities Oswald and the second Oswald were up to. The *Report* blandly states that "the following Friday, November 8, Oswald as usual drove to the Paine house with Frazier" (p. 740), but there is no evidence for this. The footnote refer-

ence is to Wesley Frazier's testimony, where he says nothing of the kind. And Marina has unequivocally stated that Oswald did not come home on November 8, that he claimed he was looking for another job, and that he came to Irving around 9 A.M. on the 9th, without explaining how he got there (23:804). (This is a not-untypical example of the sloppy documentation in the *Report*, in which potentially interesting leads were overlooked.)

On November 8, two marked cases of double Oswaldism took place in Irving, Texas. A grocer, Hutchison, reported that on that day Oswald came in to cash a check for $189, payable to Harvey Oswald (26:178-79 and 10:327-40). He claimed that Oswald subsequently came to the store once or twice a week in the early morning and always bought a gallon of milk and cinnamon rolls, items that Oswald probably would not have purchased, according to Mrs. Paine and Marina. Such an event as the attempt to cash a check is no doubt memorable (and, as Marina wondered, where would Oswald get $189?). Also, a barber, right near the grocer, reported Oswald came into his shop on the 8th with a fourteen-year-old boy, and they both made leftist remarks. The barber said Oswald had been in his shop on previous occasions (although it seems most unlikely that Oswald could have been in Irving at any of these times) and had indicated he had been in Mexico (10:309-27). The barber had even seen Oswald driving, and going with Marina into the grocery store (though the real Marina insists she was never in the store). And, of course, both the barber and the grocer immediately identified the photos of Oswald as their customer. The Commission dismisses all these reports on grounds that Oswald could not have been present or that they are denied by Marina.

Second Oswald became more active on the 9th. The real Oswald spent the day at the Paine house, writing a letter to the Russian Embassy strongly implying he was a Russian agent. The letter was probably unintelligible to them, in that it referred to all sorts of events they presumably knew nothing about. It also contained a good many false statements concerning a conversation with FBI agent Hosty that never took place. Oswald thought the letter important enough to draft by hand, and then to type (16:33 and 443), a unique event, since Oswald always sent anybody and everybody handwritten, misspelled documents. He then left the draft lying around, partly exposed, and made no effort to rush his letter off. It is postmarked November 12th. Mrs. Paine saw it, was startled by what it contained, and made a copy to show the FBI (3:13-17). The FBI intercepted it, and its report on the matter showed no interest at all in Oswald's statements portraying himself as a man who had used a false name in Mexico, had "business" with the Soviet Embassy in Havana, and had been threatened by the "notorious FBI" for pro-Castro activities. The FBI report concluded that Oswald's letter merely indicated he wanted a Russian visa (17:803).

WHILE OSWALD WAS WRITING his strange letter, two second Oswald cases occurred. One was the Bogard incident, which I have already mentioned, when an Oswald tested a car, driving over 70 miles per hour, dropped hints about receiving lots of money in a couple of weeks, and told the credit manager that if he were not given credit, he would go back to Russia and buy a car (26:450-452, 664, 684-85, 687 and 702-03).

This memorable performance at the Ford-Lincoln agency was coupled with one of the first appearances of a second Oswald at a rifle range. (There are indications of an earlier appearance during his Mexican trip.) From November 9th onward someone who looked just like Oswald was noticed at the Sports Drome Range, by several witnesses, always at times when the real Oswald could not have been there, either because he was at work, or was with his family. The second Oswald was an excellent shot, who did a number of things to attract attention to himself, firing odd weapons (some of whose descriptions fit Oswald's rifle), shooting at other people's targets, etc.

From November 12 (the end of a long holiday weekend) until November 21, Oswald himself did not go to Irving. The weekend of the 16th and 17th he was reported to be at his room almost all of the time. He worked every week day. We know of no letters he wrote during this period, and of no

extra-curricular activities at all. But a second Oswald is reported on November 13, at the grocery store in Irving with Marina; and on the rifle range on the 16th, 17th, 20th, and 21st. The only information about Oswald's own activities is from merchants in his Beckley Street area in Dallas: he went to a grocer (one also used by Jack Ruby); he made calls (apparently long distance) at a gas station (26:250); he was in a laundromat at midnight on the 20th or 21st (if the latter, it has to be second Oswald again); he took coffee at the Dobbs House restaurant on North Beckley in the early morning. One very suggestive sign of a second Oswald is a report by a waitress (26:516) that he had come into the Dobbs House on November 20 at 10 A.M. (when real Oswald was at work) and had become very nasty about the way his order of eggs was prepared. At this time, Officer J. D. Tippit was there "as was his habit" each morning at this hour, and glowered at Oswald. (The FBI, in this report, rather than being excited at this sign that Oswald and Tippit had encountered each other before November 22, merely commented that Oswald was reported to have worked from 8 until 4:45 on November 20. They also showed no interest in why Tippit stopped on North Beckley each morning when it was not in his district or near his home.)

ANOTHER POSSIBLE CLUE about Oswald

or second Oswald is that the Secret Service thought Oswald was responsible for ordering the anti-Kennedy "Wanted for Treason" leaflets, distributed in Dallas on November 22. The Secret Service pointed out that the copy had Oswald's kinds of spelling errors, and that the person who ordered them around November 14 resembled Oswald, except for his hair (25:657).

The next major, and final, report of the second Oswald's appearance is right after the assassination. One eyewitness to the shooting from the Book Depository, J. R. Worrell, saw a part of a gun sticking out of the building, heard four shots (and he is one of the few who heard four, rather than three) and ran behind the building. He there saw a man come rushing out of the back of the building, and run around it in the opposite direction. According to a Dallas policeman, K. L. Anderton, Worrell told him that when he saw Oswald's picture on TV, "he recognized him as the man he saw run from the building" (24:294). (It is an interesting indication of the Commission's concern in clearing up mysteries in the case, that when Worrell testified, all he was asked about this is whether he told the FBI the man looked like Oswald. Worrell said he didn't know [2:201]. He was not asked if the man did in fact look like Oswald, which he had told Anderton.)

A few minutes later Deputy Sheriff Roger Craig, one of the most efficient policemen on the scene that day, saw a man run down from the Book Depository to the freeway, get in a Rambler station wagon, and drive off. Craig tried to stop the car, but failed. When he later reported this, he was asked to come down to police headquarters and look at the suspect they had in custody. He immediately and positively identified Oswald as the man he had seen get in the car and be driven away (6:260-73; 19:524; 23:817, and 24:23). *Sic transit Oswaldus secundus.*

The Warren Commission dismissed all these incidents as mistaken identifications since they couldn't have been Oswald. There are more cases than I have mentioned here. Some are dubious, some possible. I have also heard of some cases that are not in the twenty-six volumes but seem quite startling and important.[2] I noticed only one place in the twenty-six volumes where the conception of a second Oswald occurred to the Commission. One gets the impression that the hard pressed staff found it convenient to ascribe all the incidents to tricks of memory and other aberrations, notwithstanding the fact that many witnesses were apparently reliable and disinterested people whose testimony was confirmed by others. Furthermore, they must have had considerable convictions to persist with their stories in the face of questioning by the FBI and Commission lawyers. The evidence seems to me compelling that there was a second Oswald, that his presence was being forced on people's notice, and that he played a role on November 22, 1963.

If we take the cases at face value—people saw someone who looked like Oswald, used Oswald's name, had Oswald's life and family—then how are they to be explained?

I SUGGEST THAT the duplication had a crucial part in the events of November 22. Second Oswald was an excellent shot, real Oswald was not. Real Oswald's role was to be the prime suspect chased by the police, while second Oswald, one of the assassins, could vanish as Worrell and Craig saw him do. If the crime is reconstructed in this way, most of the puzzles and discrepancies can be more plausibly explained.

Oswald, the methodical conspirator, goes to Irving on November 21, carrying nothing. He returns on November 22 with a package, about 27 inches long, attracting the attention of Frazier and his sister. The package vanishes by the time he enters the building. Oswald and second Oswald arrive separately. Since Oswald doesn't talk much to people, second Oswald can easily enter undetected. Previously, or that day, one of them has brought the gun into the building. How? Two intriguing details suggest that this may not have been a problem. First, according to Marina, when Oswald went off to shoot General Walker, he left without the rifle and returned without it. He had secreted it in advance and afterwards. So he may have known how to do this. Second, a day or two before the assassination, someone had brought two rifles into the building, and Mr. Truly, the manager of the Book Depository, was playing with one of them, aiming it out a window (7:380-82). *None* of the employees mentioned this in their testimony, and it only came to the attention of the Commission because of a report that Oswald had mentioned it in one of his interrogation sessions. The other employees just had not noticed. (In Dallas, guns are so common that on any day except the 22nd of November one could probably have carried one anywhere.)

Oswald makes the bag that was later found. As we have seen, the only witnesses who saw the original bag were both adamant and cogent in insisting that it was not large enough to have held the gun; and the only witness who saw Oswald enter the building denied he carried a bag at all. By making a larger bag, Oswald creates an important, if confusing, clue. It connects him with the crime, helps to make him the prime suspect. At some time Oswald and second Oswald move several boxes to the sixth-

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[2] For example, an independent researcher, Mr. Jones Harris, has given me the following report:

"In March 1966, I interviewed in Dallas a Mr. January who had been manager of Red Bird Air Field at the time of the assassination. Mr. January told me that on Wednesday, November 20, 1963, three people turned up at the airport. Two of them, a heavy-set young man and a girl, got out of their car and spoke to him, leaving a young man sitting in the front of the car. The couple inquired as to the possibility of hiring a Cessna 310 on Friday the 22nd to take them to the Yucatan peninsula. They asked how far the Cessna could travel without refueling. How fast did the plane travel? Would they have to stop in Mexico City? January replied that it would be necessary and this seemed to suit their plans.

"They told January that they wanted to be back at Red Bird Field on Sunday. January did not believe that they could afford the flight. Privately, he suspected that they might want to hijack his plane and go on to Cuba. He decided not to rent them the plane even if they turned up with the money before the flight.

"He never saw the three people again. But on Friday when he saw Oswald on TV he was certain he had seen him before. Then he remembered the young man sitting in the front seat of the car and was convinced that it had been Oswald."

floor window, either to establish another clue, or to make arrangements for the shooting, or both. (There is a set of still unidentified prints on the boxes [26:799-800], and all of the employees, police, and FBI, who touched them have been eliminated.) Oswald seems to have spent a very normal morning at the Book Depository, and was seen working on various floors. He asked someone which way the parade was coming, as if to indicate that he was hardly concerned. Around noon Oswald told people he was going to have lunch. After that the next we know of him is that right after the shooting he was seen in the lunchroom, in complete calm, about to buy some soda pop.

AT 12:30 OR 12:31, THE SHOOTING began and was of extreme accuracy, far beyond anything yet achieved with Oswald's rifle. Many of those present in the immediate area thought that the first shot at least came from the knoll area beyond the Book Depository. Some even saw smoke from this area (even though the *Report* claims there is no credible evidence of shots from any place except the Book Depository. It depends on what one considers credible). So, in keeping with the evidence, let us suppose that at least one shot came from the knoll. (This might account for the throat wound that looked like an entrance wound to the Dallas doctors.) Some others apparently came from the Book Depository. If these include Kennedy's back wound, Connally's wounds, and Kennedy's fatal wounds, the marksman was magnificent at hitting moving targets. Yet Oswald's rifle could not be aimed accurately, and may not have been used at all. Strange as it may seem, no one ever checked to see if Oswald's rifle had been used that day, and no one reported the smell of gunpowder on the sixth floor. The three shells found near the window are odd in that the FBI reported they had markings indicating they had been loaded twice, and possibly loaded once in another gun (26:449). (Weisberg has some very interesting and intriguing discussions about this, about the boxes and the conflicting information about their arrangement, and about the positions from which the shooting could have been done from the Book Depository window, all indicating that the event could not have taken place as surmised by the Warren Commission.) Also, some of those who saw a second Oswald at the shooting range, reported that he collected the ejected shells after they flew out, and put them away. (The FBI accumulated all the 6.5 shells they could find in the Dallas area, and none was from Oswald's gun [26:600].) Certainly, if the marksman wanted to avoid detection, he would have collected the shells. If he had wanted Oswald's gun implicated, he would have left them where they fell.

It is an interesting point that no evidence ever turned up about anyone, anywhere, selling Oswald ammunition. The very few in Dallas who handled these shells had not, to their knowledge, dealt with him (26:62-64). The rifle was not sold to him with any ammunition. And, as Weisberg stresses, no rifle shells were found in his possession, or in his effects. If second Oswald did the shooting, he could have had additional shells. A confederate could have bought them in Dallas or elsewhere. There is a report that Oswald bought ammunition in Fort Worth on November 2 (24:704), but Oswald was in Irving that day. So this may have been another appearance of second Oswald. But there is no data whatever that Oswald ever had any rifle ammunition (the shell fired at General Walker was unidentifiable).

Further, there were no fingerprints on the surface of the rifle, on the shells, or on the remaining bullet in Oswald's rifle. The famous palm print was old, and on a part of the rifle only exposed when disassembled. According to the Commission, this rifle had to be assembled that day, loaded with four bullets, fired rapidly, and hidden, without any fingerprints appearing on it. If they were wiped away by Oswald, when, and with what? According to the Commission's time schedule, he had barely enough time to hide the gun and get downstairs. If he loaded and fired while wearing gloves, where are the gloves? Second Oswald solves these problems. He could have wiped everything or worn gloves, since we have no inventory of his effects, and he had ample time. The palm print shows that Oswald *at some time* handled the rifle. Nothing shows who handled it on November 22, 1963, the most interesting day in the rifle's career.

Another point of some interest is the connection between the ballistics evidence and Oswald's rifle. The shells had been in Oswald's gun. Bullet No. 399 (the one found in Parkland Hospital) had been in Oswald's gun. The mashed fragments (Commission Exhibits 567 and 569, 17:256-57) don't match up too well with comparison bullets in exhibits 568 and 570. To make the identification the ballistics expert had to infer how the pictures would match *if* the fragments had not been distorted. Only good old No. 399 really matches up (Commission Exhibit 566, 17:255). Bullets fired from Oswald's rifle into anything seem to mash and shatter very easily. Were it not for the marvelous discovery of No. 399, there might have been quite a job connecting Oswald's gun with the remains after the firing.

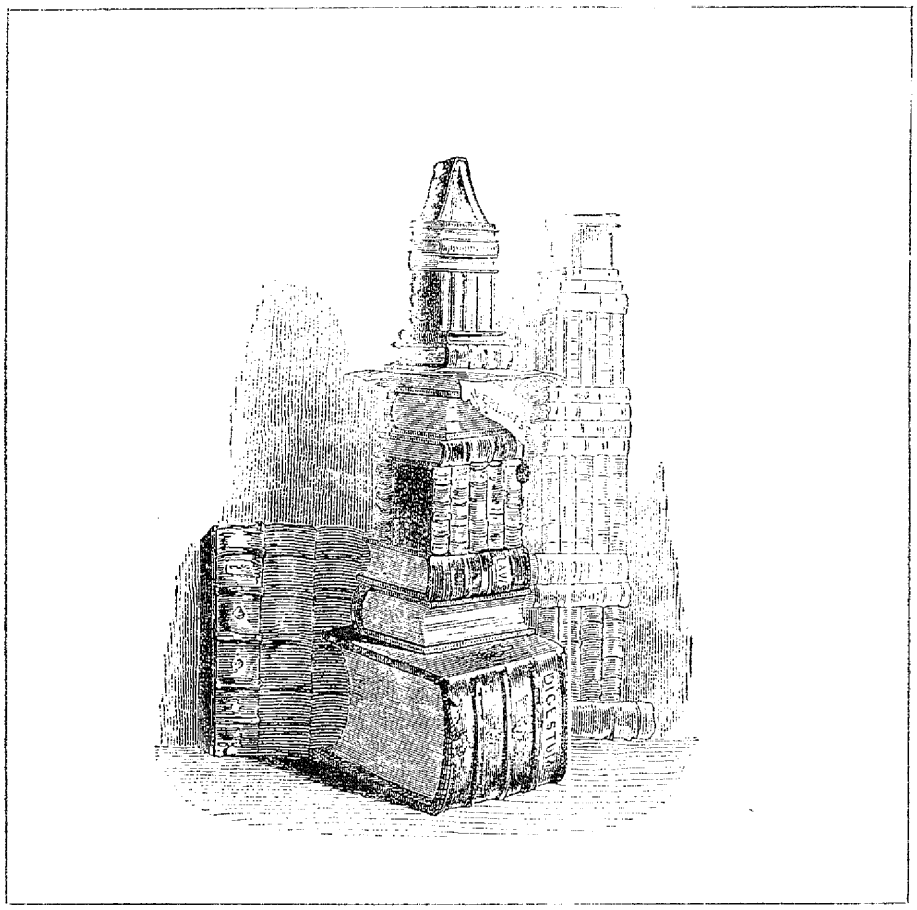
AFTER THE SHOOTING, what happened? On my theory there were two assassins, plus Oswald, the suspect. Assassin one was on the knoll; assassin two, second Oswald, was on the sixth floor of the Book Depository. In spite of all the eye- and ear-witnesses who heard shooting from the knoll and saw smoke there, what I believe has kept reasonable people from believing anyone shot from there, besides the pompous denials of the Warren Commission, is that the sheriff's men and the police swarmed into and over this area immediately and found nothing. Anyone holding a counter-theory to the Warren Commission's, and accepting the evidence of at least one shot from the knoll, is obliged to give some explanation of how this might have occurred unobserved.

When I visited the scene of the crime, the ideal place for the shot to have come from seemed to be the parking lot on the top of the knoll. It has a picket fence, perfect for resting the gun upon. It can't be seen from the overpass. A shot or shots fired from there would get the right angles to conform to the medical evidence and the pictures. Then what became of the gunman? I submit he either put the gun in the trunk of a car and joined the throng looking for an assassin or he, plus gun, got into the trunk of a car. Cars were moving out of the parking lot very soon after the shooting. Unfortunately, for simplicity's sake, this requires two additional accomplices, one a shooter and one a driver. But it provides an easy way for someone to disappear from the scene right after the firing.

Some corroboration of this possibility recently appeared in the Philadelphia *Inquirer* of June 27, 1966, in an inter-

view with Mr. S.M. Holland, who had previously reported seeing smoke rise from the knoll area at the time of the shooting:

> Backed up against the [picket] fence, says Holland, were a station wagon and a sedan. The ground was muddy and . . . there were two muddy marks on the bumper of the station wagon, as if someone had stood there to look over the fence. The footprints led to the sedan and ended.
>
> "I've often wondered," says Holland, "if a man could have climbed into the trunk of that car and pulled the lid shut on himself, then someone else have driven it away later."



As to the two Oswalds, we know that one, probably Lee Harvey, was seen on the second floor at about a minute-and-a-half after the shooting, by Policeman Baker and Mr. Truly. One, described with different clothes, was seen by an employee, Mrs. Reid, a few moments later holding a coke and moving in the direction of the front exit. Oswald Two left by the rear (observed by Worrell), hid until his ride arrived, raced down to the freeway (observed by Deputy Sheriff Craig), was picked up, and disappeared. The real Oswald went on a strange journey, leaving a wide trail, taking a bus from several blocks away (and taking a transfer he didn't need), exiting from the bus a few minutes later, walking to the railroad station, and taking a cab. If he had really wanted to vanish rather than be followed, he had ample opportunity to disappear into the mob in downtown Dallas, to take a train, to go to the movies, or anything. At the railroad station, he was in no great hurry. He even offered a lady his cab. He insisted on riding in front with the driver (so he could be seen, perhaps), got off a few blocks from his rooming house, and walked there (another indication of his lack of haste). He rushed into the house, went into his room, and emerged a few minutes later.

Mrs. Earlene Roberts, the housekeeper, reported two interesting facts: one, that while Oswald was in his room (around 1 P.M.), a police car pulled up in front of the house and honked, waited a bit, and then drove off; the other that when Oswald left, he stood by the bus stop in front of the house (the bus that stopped there went back to downtown Dallas) for "several minutes" (22:160 and 26:165). Oswald claimed he went to his room to change clothes and to get his revolver. (One of the many oddities of that amazing day is that when Oswald was arrested he had on him a payroll stub from the American Bakery Co. dated August 1960, a period when Oswald was in Russia. The stub turned out to have nothing to do with Oswald, but to belong to someone else who lived at the same address where Oswald once had lived. Maybe Oswald was collecting misleading data in case he was arrested [22:178 and 26:542].) He then apparently walked to the place where the encounter with policeman Tippit occurred. The physical evidence about the times involved indicates it just might barely be possible for Oswald to have made this odyssey.

THE TIPPIT AFFAIR is puzzling. It seems out of keeping with Oswald's calm, unflappable character, that he would have shot Tippit on the spur of the moment. It seems odd that Tippit would have stopped a suspect. He was unimaginative, and had shown no real initiative in all his years on the force, as evidenced by his failure to get a promotion in thirteen years. It is hard to believe that, on the basis of a vague description which must have fitted at least several thousand males in Dallas that day, Tippit would have stopped Oswald far away from the scene of the crime. Few other suspects were stopped *in all of Dallas*, although the city contained thousands of white

males aged thirty, 5 foot 9, weighing around 165 pounds (which description doesn't fit Oswald, who was twenty-four and weighed much less).

The legal evidence that Oswald shot Tippit is pretty bad, and a good defense lawyer might have prevented a conviction.[3] None of those present could offer any explanation for what happened. If Oswald did the shooting, as I am inclined to believe, what could be the reason? If Tippit was suspicious of Oswald, Oswald had all sorts of fake (A. J. Hidell) identification on him to satisfy the none-too-bright Tippit. If Os-

wald was trying to disappear, shooting Tippit in broad daylight would hardly seem to be a way of accomplishing that.

I should like to suggest an explanation of the Tippit affair with reference to some of the above points. If Oswald's role was to become the prime suspect, he did his job well. Within an hour he had become the principal person sought by the police, independent of the Tippit murder. If this was a conspiracy, and Oswald had his role *qua* suspect, how was he to get away? The two assassins are rescued right away. Oswald goes off on his own to his rooming house. Just then a police car arrives. What better get-away than a police car, fake or real? (As it happens, the *Report* mentions the fact that old Dallas police cars had been sold to private individuals.) Oswald misses his ride, looks for it at the bus stop, and then starts up the street looking for it. Tippit comes along slowly. Oswald thinks it is his ride, and approaches the car. Tippit has had a confrontation with second Oswald at the Dobbs House on November 20, recognizes him, and stops to give him a lecture on good behavior. A monumental misunderstanding then occurs, and Oswald suddenly fears Tippit realizes what has been going on. Hence, the shooting.

Oswald then disappears for half an hour, and mysteriously reappears across the street from the Texas Theatre. Because he didn't buy a ticket, he attracts attention and gets arrested.

THE ONLY OTHER CRUCIAL event in this early post-assassination period was the finding of bullet No. 399. As I have already indicated, bullet No. 399 was essential in connecting Oswald's gun with the assassination. If it was never fired through a human body, then someone had to take it to Parkland Hospital and plant it. The descriptions of the chaos in the hospital indicate that almost anyone could have walked in and placed the bullet where it was found. One of the conspirators could have left bullet No. 399 on a bloody stretcher, trusting it was Kennedy's or Connally's. Bullet No. 399 would again lead to making Oswald a suspect. The various clues, the shells, the brown paper bag, Oswald's prints on the boxes, the rifle, bullet No. 399, Oswald's absence from the Book Depository, would all lead to a mammoth police search for Oswald, while the others could vanish. The conflicting data, due to the two Oswalds, would confuse the search. Oswald presumably had some get-away planned, so that he, too, would disappear. Then, possibly, as Fidel Castro suggested in his analysis of November 29, 1963, all of Oswald's fake Cuban activities would lead to cries that Oswald had fled to Cuba (26:433).

The Tippit affair and the arrest in the movie theater are all that went awry. If I am right that the Tippit affair was an accident, it also led to the arrest by getting a large group of policemen into the area searching for Oswald. Only if he wanted to be arrested can I believe that the Tippit shooting was deliberate. It certainly would make it harder, if not impossible, for Oswald ever to get released from jail.

If Oswald's role was to attract all suspicion, while not being an actual assassin, his behavior in prison certainly fits this. Marina claimed at one point that he wanted a page in history. If so, and if he had done it, he would have gained lasting fame and shame by proclaiming his achievements. Instead he calmly insisted on his innocence, and contended that as soon as he got his lawyer it would be established. The police, the FBI, and the Secret Service were all amazed by his *sang-froid* and his continual protestations of innocence. His brother Robert tells us that Lee assured him of his innocence and told him not to believe the "so-called evidence" (16:900).

If the plot was as I have suggested, Oswald played his role well. The police chased him and found him, and ignored all other clues, suspects, and possibilities. The second Oswald data would probably have made all eyewitness evidence against Oswald useless. (Somebody did go to the trouble of making sure that the FBI knew about a second Oswald by calling on November 24th and telling them about the tag in the Irving Sports Shop.) Except for the Tippit episode, Oswald's subsequent arrest and Jack Ruby's shooting, it might have been a perfect plot. Nobody could place Oswald at the scene of the crime. (What is Brennan's poor testimony worth, especially if there was a second Oswald?) The paper bag would have been worthless as a clue, especially if two bags were introduced. Oswald may well have waited in the lunchroom until Baker and Truly turned up, and then thought he had a solid alibi. The planted evidence of a second Oswald's movements would have raised reasonable doubts, by showing that another reconstruction of the crime was and is possible.

MY RECONSTRUCTION IS, of course, no more than a possibility, but unlike the Commission theory, it fits much of the known data, and requires fewer miracles or highly unlikely events. Since second Oswald was an excellent shot, my theory makes the skillful marksmanship plausible. By having two assassins, this theory fits the testimony of the majority of the observers that at least the first shot came from the knoll. The theory does not require the dismissal of all of the people who saw second Oswald as mistaken, no matter how much corroboration they have. The theory accounts for bullet No. 399 and its role, and it offers *some* explanation for the Tippit affair.

The Commission has had to resort to extremes to make the one-assassin theory possible, and has had to select some of the weakest evidence and weakest witnesses in order to hold on to its conclusion. Its time reconstruction really shows how improbable it is that Oswald did it all, all by himself. And the Commission is left with all sorts of discrepancies: the absence of Oswald's fingerprints on the gun surface and the bullets; the absence of rifle ammunition; the unaccountable behavior of Oswald if he had done it, etc.

The criticisms of Cook, Epstein, Salandria, and Weisberg leave the Commission with the problem of defending just the bare possibility that their theory could hold up. The answers to

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[3] The only witness to the shooting itself was Mrs. Markham, whose testimony was strongly doubted by some of the Commission lawyers. Many of those who identified Oswald as being on the scene had already seen pictures of him in the press or on television. The cartridge cases found at the scene came from Oswald's pistol but could not be linked to the bullets in Tippit's body. There are conflicting reports about what took place, as well as many other unsettled problems.

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Epstein that have appeared are simply concerned to show that the one-bullet hypothesis is possible (it never was probable), and so far they haven't done a good job of it. If Kennedy was shot in the back, and some replies to Epstein tend to concede this point, then it seems unlikely that anything can redeem a one-assassin theory. In this connection, one point must be made clear: The Commission's Report made no attempt to resolve the contradiction between the FBI reports and the autopsy. The question whether the FBI reports were accurate can only be answered if the photographs of the autopsy and the X-rays are made available for examination by responsible and independent observers, if not by the public at large. Since the Commission's theory of a single assassin depends heavily on this point, the photos and X-rays should be made available immediately.

From the beginning a two-assassin theory was a more probable explanation for all of the strange events of that day. The evidence collected, however, left few traces of a second assassin, but many problems in proving that Oswald was one of the killers or the only one. As I have argued, the problem can be overcome by admitting a conspiracy theory suggested by the "evidence" of the brown paper bag and bullet No. 399. But to establish the exact nature of a conspiracy would obviously require a lot more data than are available in the twenty-six volumes, since the Commission didn't look into this possibility. What I have outlined is a tentative version that seems to fit the data available at present. Further investigation may produce different explanations of some of the incidents I have mentioned. Other and better hypotheses can probably be set forth if more information becomes available.

The political or economic nature of the conspiracy must be purely speculative at this stage. We know too much about Oswald (but still not enough to ascertain what he was really up to), and nothing about the others. Perhaps, as someone has suggested to me, Oswald was a minor figure in the venture, and his proclivities in no way represent those of the group. Maybe Oswald met some far-right extremists when he went to hear General Walker on October 23. Maybe some right-wing Cubans involved him in a plot when he was in New Orleans, or maybe he got involved with some leftist plotters in New Orleans, Mexico City, or Dallas.

WHATEVER INFORMATION might emerge from a renewed investigation, a reading of the twenty-six volumes forces one to the conclusion that the Commission did a poor job; it served the American and the world public badly. But Weisberg's constant charge that the Commission was malevolent is, I believe, quite unfounded. Until Epstein came along, one searched for some possible explanation for the deficiencies of the Dallas police, the FBI, and the Commission. Epstein has at least explained the failings of the last group. They did a rush job, a slap-dash one, defending a politically acceptable explanation.

The American Press, as well as others in positions of responsibility, would not, and could not, dream of a conspiratorial explanation. In a world in which conspiracies are going on all of the time—in business (the anti-trust cases), in crime (the Mafia), in foreign affairs (the CIA)—it somehow was still not imaginable that two or more persons could decide to assassinate the President of the United States. The activities of Weissmann (the far-right-winger who put the ad in the paper) show that a conspiracy to defame the President was going on in Dallas among a handful of rightists. Why was this possible, but not a conspiracy by others to shoot him? The printer, Surrey, refused to reveal who was conspiring to pass out leaflets denouncing the President. The information gathered about this clearly indicated that some group was involved, probably another far-right one.

If the answer is, So what? there are lots of conspiracies going on, but not in this particular case, then I would argue that a two-assassin theory makes the most (and maybe the only) sense. And so, in this case, if we are ever to understand what happened, we have to consider seriously all of the indications that there was a conspiracy in which second Oswald played a part.

The assassination of Kennedy was a momentous event in our history. We cannot hide from it by clinging to a hope that one lonely, alienated nut did it all by himself, and that nobody else was involved. And we cannot hide from the fact that some of our most serious and well-meaning citizens have catered to our childish needs for security, and have given us an inadequate and perhaps grossly misleading explanation of the event. Many of us in this country are afraid to face reality, and part of our reality is living with our history. Can we continue to live a lie about what happened in Dallas on November 22, 1963, or has the time come to face what it means and what it involves for all of us? The public must cry out for a real examination and understanding of the events of that day. □