

Attorney Shoots Holes in Warren Commission Report

"RUSH TO JUDGMENT" by Mark Lane (Holt, Rinehart, Winston, 478 pages, \$5.95).

On November 22, 1964, President Kennedy was assassinated as he rode in an open limousine through Dallas, Texas. On November 23, 1964, Lee Harvey Oswald, his alleged assassin, was in turn assassinated by Jack Ruby, Dallas strip joint proprietor.

Since that historical period, the controversy has raged over the assassination. The dissenting theory from the beginning was that Oswald had not acted alone, if he indeed did commit the crime. Thanks to Jack Ruby, Oswald never came to trial and as a result rumor and speculation was free to breed and survive in both America and Europe.

One of the first authors to come out with a dissenting book was James Buchanan, a British journalist who in "Who Killed Kennedy?" asserted that Oswald did not act alone; that he indeed was a member of a conspiracy, and that Ruby was somehow implicated in the assassination plot. Additionally, he speculated that Officer J. D. Tippett, who alleg-

edly died of gunshot wounds inflicted by Oswald, also was part of the conspiracy.

To quell these rumors, President Johnson appointed a special committee, "The Warren Commission," headed by Supreme Court Chief Justice Earl Warren.

It was their job to establish a prima facie case against Oswald, even though he was dead and unable to defend himself, and in the same breath relieve both Jack Ruby and J. D. Tippett of any responsibility in the assassination conspiracy itself.

"The Witness," a partial report of the "Warren Commission" findings, was soon published by MacMillan and its contents went far toward refuting all that Buchanan had theorized in his book, "Who Killed Kennedy?"

Many other journalists have since stuck to the story that Oswald could not alone have killed President Kennedy.

Europeans in particular still do not accept the Warren Commission's findings as the whole truth, nothing but the truth. Rather, they tend to believe that the real story has yet to be told. And some feel that it never will be told. Mark Lane, an attorney



Atty. Mark Lane

who ironically was admitted to the New York State Bar with the help of then U.S. Senator John F. Kennedy, at last has written a book—a critique, really—that goes far toward revealing the true story, but at the same time falls short of proving anything. Still, Lane, who has literally made it his life's work to investigate the assassination, seems to be on the right track.

"Rush to Judgment" is an amazing document which, piece by piece, dissects the

Warren Commission's report and the way in which it arrived at its total conviction of a dead man. In short, it is an exciting piece of legalistic detective work performed by a man who obviously knows his way around, and has a particularly effective way of taking the reader on a trip through the strange circumstances which surrounded the assassination.

He makes it clear that all other books written on the subject were both ill-timed and ill-conceived since the authors' convictions were based only on wishful thinking. They had not, as Lane has, had access to detailed FBI and Secret Service reports, nor had they interviewed and reinterviewed eyewitnesses to the event, as has Lane.

Lane insists that at least one of the bullets which struck President Kennedy was fired from the grassy knoll near the railroad overpass adjacent to the Texas Book Depository from which the Warren Commission decreed Oswald alone delivered the fatal shots.

He documents this theory by citing the fact that of 266 known witnesses present, a total of 100 believed the

shots came from the railroad overpass knoll.

Most important, he says, half of those who did not agree with the majority were actually riding in the motorcade.

Lane argues that the rifle first presented as the murder weapon was a Mauser. Later, this was changed to an Italian Mannlicher-Carcano, caliber 6.5. Witnesses were produced, including police officers, who testified that the weapon they had first seen was, indeed, a Mauser. The Italian rifle was linked to Oswald and, overnight, this weapon became the one that killed Kennedy.

Additionally, Lane claims, and the record backs him up, that the best rifle shots, contrary to what you may read in newspaper and magazine accounts, could not fire the Carcano three successive times in the required period of time—between 4.8 and 5.6 seconds.

Before the Carcano could be test fired, it had to be slightly rebuilt since it was adjudged by experts as "in poor shape." Also, the rifles telescopic sight was so unrelated to the line of fire and so ineptly attached that it could not be adjusted. A

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technician stated: "They could not sight the weapon in using the telescope." He also stated that the rifle-aiming device was rebuilt by a machinist who added "two shims, one which tended to adjust the azimuth, and one which adjusted an elevation."

The results of the ultimate test firing are even more interesting. One expert was able to get off three shots in the required period of time—firing at a stationary, rather than a moving target. The other master riflemen required 6.45, 6.75, 7.0 and 8.25 seconds respectively. It is interesting to note that of the 18 test shots fired, regardless of the leisurely pace at which they were discharged, not one struck the head or neck of the make-believe target.

Despite all of this, the Commission concluded, as Lane points out:

"The various tests showed that the Mannlicher-Carcano was an accurate rifle and that the use of a four-power scope was a substantial aid to rapid firing . . . Oswald had the capability to fire three shots, with two hits, within 4.8 and 5.6 seconds."

There are many other instances of either deliberate or accidental errors in the Warren Commission Report contained in Lane's book. They are all thoroughly documented.

Why haven't the X-rays

taken of President Kennedy been shown to the public, asks Lane. Could it be that they perhaps would reveal something that would be unfavorable to the Commission's report? Could it be, asks Lane, that they would show that at least one bullet entered just below the adam's apple — therefore must have been fired from the front—near the railroad overpass?

If this be so, then wouldn't it indicate that Oswald might not have fired all the shots? Or perhaps not have fired any of the shots at all?

Read Mark Lane's "Rush to Judgment" and see for yourself that there are many, many holes in the government's case against a dead man: a man who was testified against by his wife (this would not have been allowed in court); a man who was convicted in absentia by witnesses who, unlike those in any court in the land, were not subjected to cross examination.

It's all very fascinating, and very exciting. After reading Lane's account you may very well begin to wonder about many things that were, in Lane's opinion, judged too quickly and, as a result, inaccurately.

Incidentally, Mark Lane will appear on the Joe Doan radio show on KEWB at 10 p.m. on August 24. This will give you a chance to call in and argue or agree — take your choice.

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