

# Assassination Of Kennedy Still Mysterious To Some

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

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

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

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

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

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

Since then, however, doubts have been expressed by lawyers, writers and at least one historian. Books challenging the commission's over-all conclusions, and questioning the subsidiary findings on which they were based, regularly come off the presses. The latest, "Rush to Judgment," by attorney Mark Lane, is to be issued Aug. 15.

Lane says he became involved in the case in response to a request from Marguerite Oswald who said to him in December, 1963, "Will you be my son's lawyer before the Warren Commis-

sion?"

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

Why? He states the core of his contention in the words, "I believe that the report of the President's commission is less a report than a brief for the prosecution. Oswald was the accused; the evidence against him was magnified, while that in his favor was depreciated, misrepresented or ignored. Elsewhere, Lane contends that the Warren was designed mainly to be a kind of tranquilizer for the nation, to assure millions of Americans that no conspiracy accounted for Kennedy's assassination.

He wrote, "Such an effort could be successful only if the commission found that the lone assassin had been apprehended. A finding indicating that unknown assassins were still at large would have offered little assurance."

Similarly, in the book's foreword, the British historian, Prof. Hugh Trevor-Roper, wrote, "The writers of the report have selected such evi-

dence as may seem to sustain their conclusion. They have chosen to ignore a great deal of evidence which does not support but even traverses that conclusion."

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

—Direction of the shots that struck Kennedy and Connally:

#### COMMISSION'S REPORT

The Warren Commission concluded that Oswald fired at the President's car from the sixth floor of the Texas Book Depository Building. The car was mov-

ing away from the window.

Lane points a finger at a grassy knoll toward which the car was approaching. He writes, "Witnesses heard shots come from the knoll. Witnesses saw smoke on the knoll. One witness even smelled gunpowder behind the fence."

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

—Oswald as a marksman:

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

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

—Accuracy of the Mannlicher-Carcano rifle:

#### CRUDE RIFLE

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

The Warren report said, "The various tests showed that the Mannlicher-Carcano was an accurate rifle and that the use of a four-power scope was a sub-

stantial aid to rapid, accurate firing."

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

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

Referring to tests of the rifle, set up to simulate conditions which the commission said Oswald would have encountered,

the Warren report said, "All three of the firers in these tests were able to fire the rounds within the time period which would have been available to the assassin under those conditions."

—The question of fingerprints on the rifle:

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

#### **PALM IDENTIFIED**

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

And so on, through the maze of testimony given by expert and by lay witnesses, through the multiplicity of details surrounding the assassination, Lane raises questions.

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

Did the same bullet strike Kennedy and Connally, as the commission concluded, or were they hit by separate shots?

Referring to Connally's shirt, Lane wrote, "Although it was torn in several places and was therefore useful only as evidence, before it could be examined by the commission or the FBI, it was 'cleaned and pressed' as were the governor's jacket and trousers. Who cleaned the shirt and thereby mutilated the evidence?"

He disputes the evidence on which Oswald's movements were reconstructed from the time of the shooting to the moment when, the commission reported, Oswald killed the Dallas policeman, J.D. Tippitt.

Lane wrote, "Only by carefully selecting the least competent and most fanciful and rejecting very material testimony, including that of a deputy sheriff, was it possible for the commission to assert that it had succeeded in reconstructing every more that Oswald made."

#### **HEARSAY EVIDENCE**

Concluding his summation of the Warren report, Lane wrote, "Hearsay evidence was freely admitted, while crucial eyewitness testimony was excluded. Opinions were sought and solemnly published while important facts were rejected, distorted or ignored. Dubious scientific tests were said to have proved that which no authentic test could do. Those few (witnesses) who challenged the government's case were often har-

assed and transformed for the time being into defendants. The secrecy which prevailed at the hearings was extended, in respect to many important details, for another 75 years."

All this is emphatically denied by Congressman Gerald R. Ford of Michigan, a member of the Warren Commission.

#### **VALID CONCLUSIONS**

"The conclusions of the Warren Commission were valid when published and they are valid today," he said. "There is no new evidence that I am familiar with. Speculation, yes—but no new evidence."

Countering Lane's contention that the commission had prejudged Oswald's guilt and then set out to prove it, Ford said, "That's just not a fact. I know of nothing that deviated from our basic mission—to find out the truth."

Lane's assertion that "important details" of the testimony have been impounded in the National Archives "for another 75 years" brought this statement from James B. Rhodas assistant archivist. "About 95 per cent of the testimony has been released. From time to time, more will be de-classified."

Rhodas said some of the material still classified is composed of the working papers of the individual members of the commission. The attitude of the White House, he said, "is to lean over backwards to de-classify as rapidly as possible."