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Says Evidence Ignored

Another Book Attacks Warren Report Facts

By RELMAN MORIN

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

The ghost walks despite the fact that the commission headed by Chief Justice Earl Warren investigated the case for 10 months, examined mountains of subjective and objective evidence, 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 Commission?"

Lane writes that he interviewed numerous persons who,

in his judgment, had important information about the assassination but were not called to testify before the commission.

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

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

—Direction of the shots that struck Kennedy and Connally:

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

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

This would suggest that Kennedy was caught in a cross-fire, with bullets striking 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."

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?

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 move that Oswald made."

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

"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."