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New Book Questions Findings on Kennedy Murder

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 night-club 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.

Findings Questioned

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 tomorrow.

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 inter-

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

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

Elsewhere, Lane contends that the Warren report was designed mainly to be a kind of tranquilizer for the nation, to assure millions of Americans that no conspiracy accounted for 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 evidence 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:

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 crossfire, 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:

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 ac-

urage rifle and that the use of a
bur-power scope was a sub-
stantial aid to rapid, accurate
firing."

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

In a p r e p u b l i c a t i o n · s t a t e -
ment, 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. Clear-
ly, if Oswald was the lone assas-
sin 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 sec-
onds."

Referring to tests of the rifle,
set up to simulate conditions
which the commission said Os-
wald 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 condi-
tions."

—The question of fingerprints
on the rifle:

Lane wrote, "Asked specifi-
cally about the existence of a
palm print on the weapon (Se-
bastian) Latona (an FBI ex-
pert) replied that when he con-
ducted his examination of the
weapon at the FBI laboratory
he found no trace of one."

The Warren report said, "The
Dallas police developed by pow-
der some faint ridge formations
on the metal magazine. The
faint ridge formations were in-
sufficient for purposes of effect-
ing 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 sur-
rounding the assassination,
Lane raises questions.

Was the bullet wound in Ken-
nedy's throat an exit—or an en-
trance wound? If it was an en-
trance 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 evi-
dence, before it could be exam-
ined 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 mo-
ment when, the commission re-
ported, Oswald killed the Dallas
policeman, J.D. Tippitt.

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

Concluding his summation of
the Warren report, Lane wrote,
"Hearsay evidence was freely

admitted, while crucial eyewit-
ness testimony was excluded.
Opinions were sought and sol-
emnly published while impor-
tant facts were rejected, distort-
ed or ignored. Dubious scientific
tests were said to have proved
that which no authentic test
could do. Those few (witnesses)
who challenged the govern-
ment's case were often har-
assed and transformed for the
time being into defendants. The
secrecy which prevailed at the
hearings was extended, in re-
spect to many important de-
tails, for another 75 years."
books, Adv. for Aug. 14, TA371-
2-3, Gal 4.

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

'No New Evidence'

"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 fam-
iliar with. Speculation, yes—
but no new evidence."

Countering Lane's contention
that the commission had pre-
judged 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 "impor-
tant details" of the testimony
have been impounded in the Na-

tional Archives "for another 75 ant archivist, "About 95 per
years" brought this statement cent of the testimony has been
from James B. Rhoads, assist-released. From time to time,

more will be declassified." posed of the working papers of White House, he said, "is to
Rhoads said some of the ma- the individual members of the lean over backwards to declas-
terial still classified is com- mission. The attitude of the sify as rapidly as possible."