

4 Critics and 2 Defenders Debate Warren

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Report on Television

By PETER KIHSS

Four authors aired their criticisms of the Warren Commission's conclusion that Lee Harvey Oswald alone killed President John F. Kennedy in a special three-hour telecast last night on WNEW-TV.

Two other writers offered some defense of the Warren report.

In the recorded telecast, Mark Lane, whose "Rush to Judgment" this week became the nation's top nonfiction best-seller with 110,000 copies sold, contended that "shots were fired from at least two different vantage points." Mr. Lane, a New York lawyer, said that the view that Oswald was the lone assassin "cannot be reached upon what the commission discovered."

Harold Weisberg, the author of "Whitewash," argued that there had to be at least two assassins. Leo Sauvage, a Frenchman, who wrote "The Oswald Affair," contended that there was "no case against Oswald," and suggested a conspiracy to impersonate Oswald and possibly use him "as patsy for someone else."

Something 'Sinister'

Penn Jones, the editor of the weekly *Midlothian* (Tex.) *Mirror* and the author of "Forgive My Grief," saw something "sinister" in the deaths of 14 persons who had had some association with the cases of Oswald or his accused killer, Jack Ruby.

A rebuttal was offered by Jacob Cohen, who is working on a book defending the Warren thesis against Oswald and who wrote an article that was published in *The Nation*.

Discussing a bullet supposed to have hit both President Kennedy and Governor John B. Connally Jr. of Texas, he said:

"The explanation that I've been given by several doctors, including Dr. Milton Helpert, the chief medical examiner of New York City, is that Kennedy was hit when he was waving, and his muscles were gathered in the back of his neck. Later, in the morgue, he was relaxed, and that this would tend to close off the channel of exit."

Jim Bishop, a syndicated columnist, said his own book, "The Day Kennedy Was Shot," was still two years from completion. He said he expected to support the commission's finding that Oswald was the lone assassin.

Mr. Bishop, who led the discussion, said each participant had "read and digested the 10.4 million words of the Warren Commission report."

The discussion, which was re-

corded last Aug. 30, took up these points:

OSWALD'S RIFLE CAPS

An Italian Mannlicher-Carcano carbine identified as Oswald's had been delivered to a Dallas post office box. Mr. Weisberg contended that it "was never shown to be in the possession of Oswald."

Mr. Lane asserted that on Nov. 22, 1963, the date of the assassination, Oswald's wife had said she "could not identify the alleged assassination rifle" as her husband's.

However, she did so identify it in February, 1964, after "she had been in police custody," Mr. Lane said.

He said that when a weapon was first found on the sixth floor of the Texas School Book Depository in Dallas, it was identified as a German Mauser 7.65 by Deputy Constable Seymour Weitzman, who filed an affidavit the next day; by Capt. J. Will Fritz of the Dallas police, who ejected a live round from the rifle after inspecting it, and by Deputy Sheriff Eugene Boone. Mr. Lane said the rifle shown him when he appeared before the commission was clearly marked "MADE ITALY, CAL. 6.5."

Mr. Lane said that the commission had said a company had "recently made" ammunition used in the rifle, although the company had reported that any such ammunition on the market was government surplus from contracts ended in 1944.

Mr. Lane also asserted that shadows on a picture taken of Oswald by his wife, showing the accused assassin with a rifle, indicated it was a composite as Oswald had charged. The commission reached the opposite conclusion.

SOURCE OF SHOTS

Mr. Lane asserted that two-thirds of the witnesses who estimated the origin of the shots said they came "from behind a wooden fence high up on the grassy knoll" in front of the President's car, rather than from the Depository behind it.

He said these included 17 Dallas deputy sheriffs, a Dallas police officer, eight railroad employees and some Depository executives. He offered film interviews with three witnesses who said they had glimpsed a puff of smoke or a flash of light in that area. One of the three had never been called or interviewed by the commission.

WOUNDS

Mr. Lane said that every doctor at Parkland Hospital in Dallas who made a statement on Nov. 22 said the wound in the President's throat appeared to be an entrance wound.

Mr. Cohen argued that what they had seen was a "neat wound which they then quickly



The New York Times (by George Tames)
Chief Justice Earl Warren

widened to perform the tracheotomy."

Mr. Cohen said the autopsy surgeons later that day found a back wound and several clues as to the bullet's path—"a bruise to the top of the lung, a pattern of contusion which was five centimeters in width." After conferring with the Dallas doctors, he said, they "concluded that this bullet had exited from the throat."

A conflicting Federal Bureau of Investigation report, Mr. Cohen asserted, was based on the first incomplete findings during the autopsy.

Mr. Weisberg said that "the doctors testified that these bruises could have been caused by the tracheotomy."

Mr. Bishop said "the ballistics tests go right back to the same rifle."

But Mr. Lane argued that the bullet, Exhibit 399, found on a stretcher in the hospital was practically "pure, pristine." He said a test bullet from the weapon, fired through a goat carcass, shattered the goat's ribs and became "very deformed," as did a bullet test-fired at the wrist of a body to simulate Governor Connally's wrist wound.

Mr. Weisberg said the bullet that wounded Governor Connally lost three grains of metal in his wrist. This, he said, was enough to disqualify Exhibit 399, which, he asserted, was "missing 2.4 grains" and "undeformed."

INSIDE THE DEPOSITORY

Mr. Sauvage questioned the identification of Oswald at a half-closed sixth-floor window

by Howard L. Brennan, a spectator who was sitting on a concrete wall 120 feet away.

Mr. Sauvage said the sun at the hour of the assassination made the upper part of the window "a plain mirror you cannot see through" and that Oswald had to be "at least one foot away from the window."

He also questioned whether Oswald could have left that corner, hidden the rifle and run down to the second floor lunchroom in time to be seen there, holding a soda bottle, by a motorcycle patrolman, Marrion L. Baker.

On one pair of commission tests, Mr. Sauvage said, it took Patrolman Baker only 1 minute 15 seconds to reach the lunchroom, while a Secret Service man imitating the alleged Oswald movement took 1 minute 18 seconds—giving "Oswald a clear alibi of 3 seconds."

But he noted that in another pair of tests, Patrolman Baker took 1 minute 30 seconds to 1 minute 14 seconds for the simulated Oswald, giving "Oswald a possibility of having been there by 16 seconds."

TIPPIT MURDER

Mr. Weisberg contended that "if the commission had used the only written evidence"—a taxicab trip card showing that Oswald got out at the 500-block of North Beckley Avenue—Oswald "couldn't possibly" have reached the site of the slaying of Patrolman J. D. Tippit in time to have committed the murder.

Instead, Mr. Weisberg said, the commission used the oral testimony of the taxi driver, William Whaley, that Oswald had emerged in the 700-block, "a two-block difference."

Mr. Lane said that "the shells found at the scene and later delivered through various sources into the hands of the Dallas police were related" to a revolver taken from Oswald on his arrest, but "the bullets themselves were not related."

Mr. Bishop asserted that two women who had run out of an apartment across the street in time to glimpse a fleeing man with a revolver had identified Oswald in a lineup later that day, as did a woman who had been at the intersection and said she saw the shooting.

'FALSE OSWALD'

Mr. Sauvage accused the commission of "systematically ignoring" a "strong possibility that someone was there to prepare a lead going to Oswald, making Oswald the patsy or scapegoat."

He cited the following incidents:

¶ A gunsmith found a repair ticket that indicated someone had given the name of Oswald when submitting a rifle for repairs on the telescopic sight.

¶ A man giving that name road-tested a car for sale.

¶ A man resembling Oswald

fired at other persons' targets on a rifle range "to be well noticed."

WNEW-TV called the program "A Minority Report" and said members of the Warren Commission and its staff had indicated they might participate in a later program supporting the report. They had refused to take part in last night's broadcast.

France Broadcasts Criticism

Special to The New York Times

PARIS, Nov. 12—The French radio broadcast today an extended critique of the Warren Report, but it deleted the prepared conclusion that Americans were afraid of what a thorough inquiry into the Kennedy assassination might find.

Roland Mehl, a news executive of the Government radio network, presented excerpts of interviews with leading critics of the Warren Commission and two defenders, Allen Dulles, a member of the commission, and Arlen Specter, one of its aides.

The main criticisms involved evidence allegedly indicating that Lee Harvey Oswald could not have done all the shooting by himself.

The defense, as quoted, was that the critics had, in Mr. Dulles's words, "not brought in any new information or anything that might cast a reasonable doubt on the facts or conclusions of this report."

Despite the arguments raised on the program by Edward Epstein, Harold Weisberg, Lec Sauvage and Mark Lane, Mr. Mehl predicted that Congress would not order a new inquiry. "To reopen the investigation would be very nice," Mr. Specter said. "Anyone can do what he wants, but, in the absence of new evidence, it will never be any more than a rehash of what has been done."

Disclosure of Truth Doubted

Mr. Mehl commented that the truth about the assassination would probably never be known unless some unknown person were to come forward with a confession.

"Do the American people want this?" Mr. Mehl asked.

He presented the words of an unidentified coed at Georgetown University in Washington: "I would not want to see it as a political plot. That would really give me fear."

"There," said Mr. Mehl in his prepared text, "the big word is out. Fear. Fear of uncovering a whole world seething with intrigues and lies, that world which the honorable members of the Warren Commission wanted to ignore to safeguard the national interest, perhaps to the detriment of the truth."

As actually delivered, the final sentence was replaced by one reading: "Fear again, fear such as four years ago struck the American people with the assassination of President Kennedy."