

## LINGERING SHADOW

# Warren Report Not Perfect

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and  
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The Warren Commission's staff of senior attorneys doesn't claim the commission's report was perfect.

But it does claim the charges of critics have been so gross as to be self-defeating.

One staff member talked

of Mark Lane's book, "Rush to Judgment."

"He attempts to discredit the commission on hundreds of counts and to sug-

### Fourth in a Series

gest such an enormous level of incompetence or dishonesty as to make his entire argument ridiculous. Had someone set out to design a commission of the incompetence Lane attrib-

utes to it, I doubt very seriously that it could ever have been done. Had he focused upon some weaknesses of the commission or the report, he might have had an area of argument."

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AND THE STAFF agrees there were weaknesses. Some were of omission: the commission most certainly could have called to testify witnesses who had only given statements to law of-

ficials. Some weaknesses were of commission: the report could easily have been more explicit about the autopsy conflict. Some were inevitable: no one will ever be able to say with absolute certainty which bullet produced the fragments that were found in President John F. Kennedy's car or just what struck a bystander in the cheek or why

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Lee Harvey Oswald did it or even, perhaps, if he did it unaided.

But to read the report, all of it, is to appreciate the depth of the investigation. Perhaps the commission

NEW YORK (UPI) — A second national television network concluded Tuesday night that New Orleans Dist. Atty. Jim Garrison's probe of the assassination of President John F. Kennedy was "largely unsupported" by the evidence. CBS, in the third of four hour-long broadcasts of "CBS News Inquiry: The Warren Report," supported the Warren Commissions' findings and denied there was any basis for Garrison's probe.

should have had its own investigatory staff, regardless of the huge expense. But that is to suggest that the FBI and the Secret Service and other investigative agencies on which it relied were somehow not to be trusted.

Some critics suggest that they were not trustworthy: either subconsciously they sought to defend their professionalism by charitably treating evidence and witnesses or, far worse, they were involved in a superplot. If the latter were the case, it would mean, because of the intricacy and range of the investigation, a conspiracy of almost universal dimensions. As yet, there is no such evidence.

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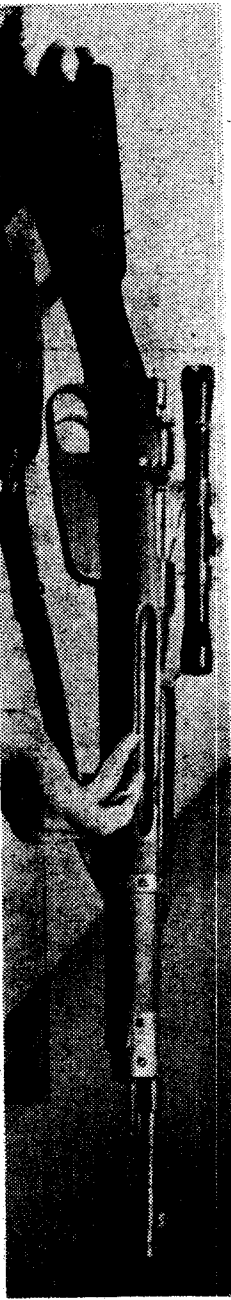
THE REPORT volumes themselves are an irritating thing. The first 15 are testimony, most of it taken by the commission staff. The remaining 11, which lamentably have no central index, are as tidily packed as a beatnik's duffle bag. There is little or no order. A search for a specific statement or affidavit can take hours. One of the intense coterie of assassination buffs, Sylvia Meagher, has made an index on her own. But it, too, is fallible.

Yet the volumes, particularly the testimony, have a certain fascination. The range of characters is Tolstoyan. There is the President of the United States, and the secretary of state. And a prostitute. There is a dashing, Russian-born oil man who knew both Oswald and Jacqueline Kennedy and whose amatory troubles with a Latin beauty are truly comic. And there is a laborer who told the august members of the commission in blunt terms of the locker room what he thought when he heard a rifle go off above his head in the depository building.

The critics are equally diverse. There is Harold Weisberg, a Maryland poultryman who was once National Barbecue King and claims his "Geese for Peace" campaign got the Peace Corps its first good publicity break. Weisberg, who knows the report as an

# Warren Commission Report Not Perfect, Say Members

evangelist knows his Bible, has published two books, "Whitewash" and "Whitewash II," is planning a third and thinks there were two Oswalds, one a look-alike stand-in.



**LEO SAUVAGE** a French journalist, argues with Gallic logic, no index and membership in the "perhaps" and "it seems" school. He raises some pointed questions in areas where uncertainty is and may remain forever.

Edward Jay Epstein makes much of the doctor-FBI autopsy discrepancy in his book, "Inquest." It is answerable. He makes a criticism of many of the commissioner's methods. This is arguable. Both ways. But he raises his

questions from facts in the commission volumes. Sometimes not all the facts. And sometimes not facts at all.

Lane — Lane's name predominates. He has made a movie based on his book and given numerous lectures here and abroad. At the very end of his book he files a disclaimer explaining why he accepted material contrary to the commission's conclusions and

rejected material that supports it. So, on almost his last page, Lane identified himself: he is a prosecutor, using the defendant commission's own witnesses and testimony. But not all of it.

"I HAVEN'T found anything of theirs that even makes a positive contribution," said one of the senior commission counsels of the critics.

One can assume the commission staff would stand by its work. Its statements should be considered with that in mind. One, however, should approach the critics with similar disposition. Read them. But read what they criticize as well. If it is ironic that the report is their foundation, it is also

convenient. One can read and compare.

Epstein presumably read. He found the commission had uttered "political truth." It sought to dispel rumor and keep America clean, not to determine fact.

But neither Epstein nor Earl Warren is the jury. The public is. And there is more to the case for the government than the public may have heard.

**THE PUBLIC** may know of the single-bullet theory. It is a chain of circumstance, linked by assumptions. It is a chain that leads to Lee Harvey Oswald as the assassin. But it is vulnerable, as all chains. If one of its links breaks, it does not hold. . . .

**NEW ORLEANS (AP)** — Private detective William Gurvich says that Dist. Atty. Jim Garrison "early this year labeled for arrest" a number of prominent New Orleanians "as accessories after the fact" in the assassination of President Kennedy. Gurvich also said Garrison once planned a midnight raid on the local FBI office. Gurvich, 42, has resigned as Garrison's chief investigator and publicity called for a grand jury probe into the tactics used by Garrison's staff.

Bullet 399 . . . The firing time of a mail-order rifle . . . An amateur motion picture . . . A governor's wounds . . . A President's autopsy.

It was from these elements that the Warren Commission constructed what has become known as the single-bullet theory.

And it is these elements which critics of the Warren report use in attempts to topple the theory and discredit the report.

The theory was reached after the commission staff was confronted with two pieces of conflicting evidence:

—That the first wound suffered by President Kennedy and Texas Gov. John B. Connally evidently occurred within a span of 1.6 seconds.

—That the murder weapon could not be fired faster than once every 2.3 seconds

What was the answer? The commission decided that one bullet went

through Kennedy's neck, traveled four feet forward and struck Connally, inflicting wounds of his chest, wrist and thigh. A second bullet struck Kennedy at the back of his head and killed him. A third bullet missed.

Any argument that Oswald was the lone assassin or he wasn't stems from this theory.

The theory is central to these commission conclusions:

1—That all the shots fired at the President and governor were fired from Oswald's sniper's perch on the sixth floor of the Texas School Book Depository, overlooking Dealey Plaza in Dallas—and from no other place.

2 — That all the shots were fired from a 6.5mm Mannlicher-Carcano rifle, owned by Oswald, and found on the sixth floor after the assassination — and no other weapon in the world.

3 — That all the shots were fired by Lee Harvey

Oswald — and no other person.

In arriving at the single-bullet theory, the commission itself laid the groundwork for its possible challenge by saying in the report:

“Although it is not necessary to any essential findings of the commission to determine just which shot hit Gov. Connally, there is very persuasive evidence from the experts to indicate that the same bullet which pierced the President's throat also caused Gov-Connally's wounds.”

But if that didn't happen, the theory teeters — and so does the case against Oswald as the lone assassin.

**Next: The rifle and the autopsy.**

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