

### THE LINGERING SHADOW

# Warren Critics Split Hairs, Seconds

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(Sixth in a Series)

The critics of the Warren Commission report drill hard on the question of how long it takes to trigger three shots from the type of rifle ascribed to Lee Harvey Oswald in the assassination of President John F. Kennedy.

Edward Jay Epstein, examining the firing tests by three experts, says they used stationary targets and that the time was measured from the sound of the first report to the sound of the third report and thus had unlimited time to aim the first shot.

"This is a significant factor. For example, if it is assumed it took the assassin one second to react, aim and pull the trigger, then he had only 4.6 seconds (not 5.6 seconds) to fire," Epstein says.

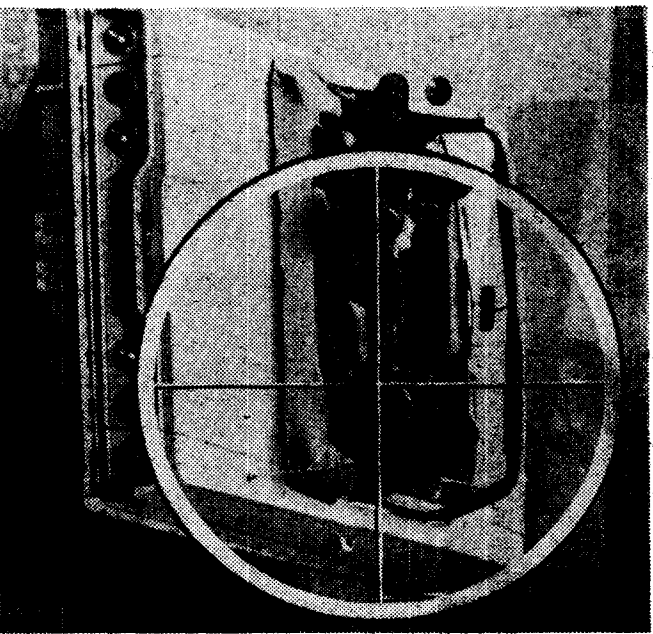
**MARK LANE** makes the same contention and adds to it a detailed attack in which he says the tests themselves were invalid, the ammunition was unreliable, the weapon was of poor quality and Oswald was an inferior marksman.

Wesley Liebeler says that "if you assume Lane is right on all of this, what does it change? The fact is that that rifle was owned by Oswald, he was in the depository, the empty shells were fired by that weapon, the recovered bullet was fired by that weapon. The best evidence that the rifle was capable of delivering the shots and that Oswald was capable of hitting the president and governor is that it did and he did."

Commission attorney Arlen Specter challenges the time interpretations by the critics, saying:

"The would-be critics of the commission report all make the same mistake in interpreting the possibility of fitting three shots in a 5.6-second time span because they count the first shot.

"WHEN YOU fire three times, the first shot is not taken into account in the timing sequence. Look at it this way: aim is taken and there is the first shot. Then 2.3 seconds pass while the bolt action is worked and the next shot is fired. Then another 2.3 seconds for the third shot. The three shots can be fired within 4.6 seconds range of time."



**THIS IS APPROXIMATE** view the assassin of President Kennedy might have seen as he trained his weapon. Photo of reconstructed scene was made with a long lens simulating telescopic sight.  
—AP Wirephoto

Lane, Epstein and Harold Weisberg also introduce another element in challenging the capability of the Mannlicher-Carcano: a fourth shot. Patently, the rifle as tested could not have delivered four shots in 5.6 seconds. But where is their evidence? The commission considered such a possibility, but found no credible evidence for more than three shots.

IT MIGHT seem that the commission would find added support in the firing demonstration by a British Royal Marines sergeant appearing on a BBC television show Jan. 30, 1967. Lane and Specter were there as participants in a debate about the controversy and saw the sergeant, using a Mannlicher-Carcano of the same vintage as Oswald's, aim at a target and get three rounds off in 2.6 seconds.

By that measure, it could have been possible that separate rounds could have hit the president and governor in close order. But if that happened, more riddles are posed: If one bullet alone went through the president's neck, how did it vanish without striking anyone else or anything else? If the governor was hit separately, what sort of wounds would he have suffered, and could they then have been from Bullet 399?

**THIS WAS** the bullet, in an almost undamaged condition, which was found in Parkland Memorial Hospital, where both the president and governor were taken. The commission says it is the bullet which passed through the president's neck and struck the governor in the chest, wrist and thigh.

Mark Lane describes it in a chapter entitled "Magic Bullet." Epstein calls it "The Stretcher Bullet." "The so-called 'found' bullet," Weisberg says, "... could, for example, have been planted in the hospital."

Experts put the bullet under scientific tests which they said proved it was fired by the Mannlicher-Carcano rifle.

**THE 6.5MM** copper-jacketed bullet weighed 158.6 grains. Its standard weight would be 160-161 grains. This would mean that Bullet 399 lost between 1.4 and 2.4 grains.

Lane and Epstein each cite three particular witnesses for their conclusion that Bullet 399 lost too little weight to have caused the wounds received by Connally. One is Col. Pierre Finck, one of the autopsy surgeons, who ruled out the bullet "for the reason that there are too many fragments described in the (Connally's) report." Another is Cmdr. James Humes, the chief autopsy pathologist, who testified, "This missile is basically intact; its jacket appears to me to be intact, and I do not understand how it could possibly have left fragments in either of these locations (wrist and thigh)." A third is Dr. Robert Shaw, who operated on the governor's chest, and who testified there were three grains left in the governor's wrist.

**THESE** conflicts were cleared up in other testimony, but the commission was remiss in not resolving the conflicts when they arose.

The critics do not detail the specific testimony regarding these fragments.

What was it?

Dr. Charles F. Gregory, who treated the governor's wrist wound, testified

X-rays disclosed "three metallic flakes" there, and he added: "I would estimate that they would be weighed in micrograms, that it is something less than the weight of a postage stamp." Not three grains, as Dr. Shaw said.

**DR. GEORGE T. Shires**, who treated the thigh wound, testified no bullet fragments were recovered from it but that a small one, discernible on X-ray, remained in the femur. He was asked its weight, and answered "maybe a tenth of a grain."

Critic Harold Weisberg says that "the report refers to no fragments elsewhere. Shires says there is still one in the chest." But examine Shires' testimony in Vol. VI, Page 111, and you discover that Shires had just said any knowledge he had about damage to the rib was "only hearsay from Dr. Shaw, that's all." Shires was next asked whether he knew whether there were any bullet fragments in the chest, and he replied: "No, again except from postoperative X-rays, there is a small fragment remaining, but the initial fragments I think Dr. Shaw saw before I arrived."

**SHAW**, who treated the governor's chest wounds, testified about this in no uncertain terms.

"We saw no evidence of any metallic material in the X-ray that we had of the chest, and we found none during the operation," Shaw said. He had also testified that an X-ray made seven days after the shooting disclosed nothing except evidence of healing.

Shaw was responsible for the statement there were three grains of metal in the wrist wound. But as he stated in his testimony, he did "not accurately examine" this wound. That was Gregory's job.

**NONE OF THE** critics mentions, incidentally, that the discovery of Bullet 399 was not entirely unanticipated. For it occurred to Gregory during the operation that such a search

should be made. He says in his testimony:

There was "some speculation on our part, on my part, which was voiced to someone that some search ought to be made in the governor's clothing or perhaps in the auto or some place, wherever he may have been, for the missile which produced this much damage and was not resident in him."

Bullet 399 had already been found, unknown to Gregory, when he said this. It was discovered shortly after 1 p.m., when the president was pronounced dead, on a stretcher in the corridor near the ground floor emergency rooms.

**Next: Confusion over stretchers.**